
ANNUAL REPORT

OF THE

COMMISSIONERS,

FOR THE YEAR

1885-86,

TOGETHER WITH

ABSTRACT OF THE MINUTES OF THE COMMISSION,
MINUTES OF EVIDENCE, AND APPENDICES.

Presented to both Houses of Parliament by Command of Her Majesty.



DUBLIN:

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE

BY

ALEXANDER THOM & CO. (LIMITED),

And to be purchased, either directly or through any Bookseller, from
EYRE and SPOTTISWOODE, East Harding-street, Fetter-lane, E.C., or 32, Abingdon-street,
Westminster, S.W.; or ADAM and CHARLES BLACK, North Bridge, Edinburgh; or
HODGES, FISHER, and Co., 104, Grafton-street, Dublin.

1886.

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FIRST REPORT

OF THE

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

TO HIS EXCELLENCY CHARLES STEWART, MARQUESS OF
LONDONDERRY,

LORD LIEUTENANT-GENERAL AND GENERAL GOVERNOR OF IRELAND.

MAY IT PLEASE YOUR EXCELLENCY,

WE, the Commissioners appointed under the Educational Endowments (Ireland) Act, 1885, have the honour to submit to your Excellency the following Report of our proceedings during the first year in which the Act has been in operation.

The Act was passed on August 14, 1885, and came into operation on October 1, following.

By warrant, dated September 25, 1885, His Excellency the Earl of Carnarvon, then Lord Lieutenant, was pleased to appoint the Rev. Gerald Molloy, B.A., B.Sc., Fellow of the Royal University of Ireland; Anthony Traill, Esquire, M.A., LL.D., Fellow of Trinity College, Dublin; and the Rev. James Brown Dougherty, M.A., Professor of Logic, Magee College, Londonderry, to be Assistant Commissioners under the Act.

Immediately after the passing of the Act, the Judicial Commissioners proceeded to appoint the staff and organise the work of the office which was established at 33, Nassau-street, Dublin. The following appointments were made:—Secretary,—William Edward Ellis, Esq., LL.B., Barrister-at-law; Chief Clerk and Assistant Secretary,—N. D. Murphy, Junr., Esq., B.A., Barrister-at-law; Clerk,—Leslie J. Gill, Esq.; Messenger and Copyist,—Charles McMahon; House Keeper,—Mary A. McMahon.

The first meeting of the full Commission was held on October 9, 1885. The annexed abstract of our minutes* contains a summary of our proceedings during the year.

Before preparing a draft scheme for the future management of any endowment, we were required to take into consideration any draft scheme which might be lodged by the existing governing body. The statute allowed two months from October 1, 1885, for sending in notices, and a further period of two months for lodging draft schemes after notice. Advertisements were published and circulars were sent to the governing bodies of all endowments which appeared to be within the jurisdiction of our Commission, calling attention to the provisions of the Act, and indicating the course which we proposed to follow in dealing with draft schemes lodged with us. Seventy-three notices of intention to submit draft schemes were lodged with respect to endowments representing an estimated annual revenue of nearly £45,000, and thirty-two draft schemes were subsequently lodged. A large number of the governing bodies contended that their endowments were exempt from our jurisdiction under the seventh section of the Act, and the notices lodged by them were therefore provisional. The following is a list of these notices and draft schemes:—

* *Infra* pp. xi to lxxx.

NOTICES and DRAFT SCHEMES lodged under Section 20.

P. indicates that the notice lodged was provisional. "D.S." indicates that a Draft Scheme was duly lodged.

No.	Date of Notice.	Endowment.	Income in 1919.	County.	P.	D.S.	REMARKS.
			£ s. d.				
1	Oct. 25.	Kings Hospital, Dublin.	4,500 15 0	Dublin City.	—	—	Notice withdrawn.
2	" 26.	Seeds Borough School.	751 14 0	Dublin.	—	D.S.	Scheme submitted to Lord Lieutenant.
COMMISSIONERS OF EDUCATION:							
3	Nov. 5.	Royal Schools.	6,075 13 0	Various.	—	D.S.	Inquiries pending.
4	" 24.	Diocesan Schools.	42 7 8	Various.	—	D.S.	Do.
5	" 26.	Grammar Schools.	1,054 5 0	Various.	—	D.S.	Do.
6	" 26.	Private Schools.	207 14 0	Various.	—	D.S.	Do.
7	" 6.	Knights' Charity.	45 7 0	Dublin City.	P.	D.S.	Claims withdrawn. Draft Scheme in preparation.
8	" 14.	Alexander College.	181 8 0	Dublin City.	P.	D.S.	Claims of exemption withdrawn.
9	" 26.	Alexander School.	—	Dublin City.	P.	D.S.	Draft Scheme in preparation.
10	" 26.	Carleton and Kilian Schools.	54 17 7	Mayo.	P.	D.S.	Not exempt. Inquiry pending.
11	" 26.	Erasmus Smith's Schools.	6,050 15 4	Various.	P.	D.S.	Claims withdrawn. Inquiries pending.
12	" 16.	Glennagh Institution.	581 8 0	Dublin.	P.	D.S.	Draft Scheme in preparation.
13	" 26.	Crilly Parochial School.	Building only.	Various.	P.	D.S.	Not exempt. Inquiry pending.
14	" 17.	Incorporated Society.	3,715 17 0	Various.	P.	D.S.	Not exempt. Inquiries pending.
15	" 17.	St. Mary's Parochial School.	129 12 0	Dublin City.	—	—	Inquiry pending.
16	" 16.	Dromocher National School.	Building only.	County.	—	—	Do.
17	" 16.	Rehoboth Girls' School.	—	County.	—	—	Not exempt. Inquiry pending.
18	" 16.	Rev. A. McCrory's Endowment.	9 8 0	County.	—	—	Inquiry pending.
19	" 26.	Confess Parochial School.	—	County.	—	—	Not exempt. Scheme published.
20	" 26.	Church of Ireland Training College.	Not stated.	Dublin City.	P.	D.S.	Scheme submitted to Lord Lieutenant.
21	" 26.	Edith's Place Society.	Building only.	Dublin City.	P.	D.S.	Do.
22	" 26.	Erasmus Martin Society.	1,460 14 0	Dublin City.	P.	D.S.	Not exempt. Scheme in preparation.
23	" 26.	Bernard Faneau O'Connell School.	750 8 0	Dublin City.	P.	—	Notice withdrawn. Scheme in preparation.
24	" 26.	Marriott Parochial School.	30 2 8	Mayo.	P.	—	Not exempt. Inquiry pending.
25	" 26.	Tully and Redwood Schools.	—	Dublin.	P.	D.S.	Scheme in preparation.
26	" 26.	St. Columba's College, Rathfriland.	—	Dublin.	P.	—	Notice withdrawn.
27	" 24.	Princedale School, Mountmellick.	546 7 8	County.	P.	—	Inquiry pending.
28	" 24.	Georgy's Charity, Rosendown.	1,614 11 8	Londonderry.	P.	D.S.	Not exempt. Inquiry pending.
29	" 24.	Low's Charity.	709 16 12	Dublin City.	P.	D.S.	Claims withdrawn. Inquiry pending.
30	" 24.	Knocknagall School.	Building only.	County.	—	—	Inquiry pending.
31	" 24.	Glennagh School, Rathfriland.	Not stated.	County.	—	D.S.	Do.
32	" 24.	Boyle College, Londonderry.	948 2 8	Londonderry.	P.	—	Inquiry pending.
33	" 24.	Phyllis Parochial School.	74 7 8	Dublin.	P.	—	Exempt.
34	" 24.	Rathfriland School.	62 7 8	County.	—	—	Inquiry pending.
35	" 24.	North National School, St. 1.	Building only.	County.	P.	—	Not exempt.
36	" 24.	Colley School, Aglish.	12 8 4	Tyrone.	P.	—	Not exempt. Inquiry pending.
37	" 24.	Swickert School, Armagh.	219 2 8	Armagh.	P.	D.S.	Do.
38	" 24.	Mill School, Armagh.	56 0 8	Armagh.	P.	D.S.	Do.
39	" 24.	Glennagh School, Rathfriland.	546 7 8	Dublin.	P.	D.S.	Do.
40	" 24.	Glennagh School, Rathfriland.	546 7 8	Dublin.	P.	D.S.	Do.
41	" 24.	Glennagh School, Rathfriland.	546 7 8	Dublin.	P.	D.S.	Do.
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It was necessary in the first instance to hear and adjudicate upon the claims of exemption. These claims were made on behalf of many large and important endowments and difficult legal questions were involved: accordingly sittings of the full Commission, commencing on December 15, 1885, were held, at which the question of exemption was disposed of in the following cases:—

The Queen's Colleges;
 Erasmus Smith's Schools;
 Incorporated Society for promoting English Protestant Schools in Ireland;
 Hibernian Marine Society, Dublin;
 Church of Ireland Training College, Kildare-place, Dublin;
 Society for promoting the Education of the Poor of Ireland;
 Alexandra College and School, Dublin;
 Claremont National Institution for the Deaf and Dumb Poor of Ireland;
 Dublin Unitarian Schools, St. Stephen's-green, Dublin;
 Bertrand Female Orphan School, Dublin;
 Pleasants' Asylum, Dublin;
 Mercer's School, Castleknock;
 Knight's Charity, Dublin;
 Ralph Macklin Schools, Dublin.
 Love's Charity, Dublin.
 Neary Mahon Trust, Dublin (St. Patrick's Cathedral Deanery School).
 St. Peter's Parochial School, Dublin.
 Wray School (St. Peter's Parochial Infant School), Dublin.
 Finglas Parochial School, County Dublin.
 Coolock Parochial School, County Dublin.

The investigation of these cases involved the consideration of questions raised with respect to other endowments throughout the country, on behalf of which exemption was claimed, and enabled us to deal with many similar cases by correspondence.

Since these cases were decided, several governing bodies who had established or might have claimed exemption have intimated to us their consent that their endowments should be dealt with under the Act, for the purpose of obtaining incorporation or improved powers of management through schemes to be settled by us.

The period of four months allowed for the lodgment of draft schemes having elapsed, we commenced, on March 1, 1886, our public inquiries preliminary to the preparation of draft schemes under the nineteenth section of the Act. Since that date we have held the following inquiries:—

LIST OF PUBLIC SITTINGS for PRELIMINARY INQUIRIES.

Monday, March 1, 1886, and Wednesday, March 3rd, 1886.

1. Commissioners of Education:—
 Altering their constitution and reorganising
 Royal and Diocesan Schools.
2. Commissioners of Education:—
 Grammar Schools of private foundation.
3. Commissioners of Education:—
 Primary Schools.

Thursday, March 4, 1886.

- (At Swords Borough Schools).
4. Swords Borough Schools.

Friday, March 5, 1886.

Commissioners of Education—(Adjourned
 Sitting).

Monday, March 8, 1886.

5. Incorporated Society.

Thursday, March 11, 1886.

6. Erasmus Smith's Schools.

Monday, March 15, 1886

7. Church of Ireland Training College, } Joint
 8. Kildare-place Society, } Scheme.
 9. Claremont National Institution for the Deaf and
 Dumb.

Tuesday, March 16, 1886.

10. Royal Irish Academy of Music.
11. Conison Bequest.

Wednesday, March 17, 1886.

12. Alexandra College, } Joint Scheme.
 13. Alexandra School, }

Thursday, March 18, 1886.

14. St. Peter's Parochial School, } Joint Scheme.
 15. Wray School, }
 16. Ralph Macklin Schools.

Friday, March 19, 1886.

17. Love's Charity.
18. Knight's School.

Monday, March 22, 1886.

19. Hibernian Marine Society.

Tuesday, March 23, 1886.

20. Drummed Institution, Chapel-road.

Wednesday, March 24, 1886.

21. Morgan's School, Castleknock.

22. Mercer's School, Castleknock.

Thursday, March 25, 1886.

23. Unitarian Schools, Stephen's-green, Dublin.

Friday, March 26, 1886.

4. Swords Brough Schools (adjourned sitting).

Monday, April 12, 1886.

24. Bertram Female Orphan School.

25. Merchant Tailors' Endowed School.

26. Methodist Female Orphan School.

27. Female Orphan House, North Circular-road.

28. Bethesda Female Orphan House.

Tuesday, April 13, 1886.

29. Castleknock Parochial Schools.

30. Coolock Parochial School.

31. Raheny Parochial School.

Wednesday, April 14, 1886.

12. Alexandra College, } Joint Scheme.

13. Alexandra School, } Joint Scheme.

(Adjourned sitting to hear representatives of Schoolmistresses' Association).

Monday, May 10, 1886.

22. National Schools, Lower Dominick-street.

35. St. Mary's Parochial Schools, Lower Dominick-street.

34. St. Saviour's Orphanage, Great Denmark-street.

Tuesday, May 11, 1886.

35. St. Bride's Parochial National Schools, Bride-street.

26. United Parochial Schools of St. Andrew, St. Nicholas Without, and St. Michael, St. John, and St. Werburgh, Fishamble-street.

27. Parochial Schools of St. Nicholas Without, and St. Luke, New-street.

38. Queen's Institute, Dublin.

Wednesday, May 12, 1886.

39. Wesley College, Stephen's-green, Dublin.

40. St. Thomas's Parochial Schools.

41. St. James's Parochial Schools, James's-street.

42. St. Paul's Parochial Schools, North King-street.

43. St. George's Parochial Schools, North Portland-street.

Thursday, May 13, 1886.

33. United Parochial Schools (adjourned sitting).

40. St. Thomas's Parochial Schools (adjourned sitting).

Tuesday, May 15, 1886.

40. St. Thomas's Parochial Schools (adjourned sitting).

32. National Schools, Lower Dominick-street (adjourned sitting).

Wednesday, May 17, 1886, and following day.

6. Erasmus Smith's Schools.

8. Incorporated Society.

(Special sittings to hear representatives of Religious Denominations).

Friday, June 4, 1886.

44. Mary's-abbey Girls' School, and Meeting-house.

45. St. Catherine's National Schools, Meath-street.

48. St. Catherine's Parochial Schools, Thomas-court.

Monday, June 7, 1886.

47. St. Patrick's Cathedral Grammar School.

48. Infant School, Trinity-place.

49. St. Andrew's Parochial Schools, Wicklow-street.

50. St. Ann's Parochial Schools.

51. St. Michael's National Schools, Anne-street.

52. St. Michael's Parochial Schools.

Tuesday, June 8, 1886.

40. St. Thomas's Parochial, otherwise Gloucester-street, Sunday and daily Schools, otherwise

- Lady Harberton's School.

53. St. Thomas's Orphanage, Lower Gloucester-st.

54. Christian Brothers' Schools, Basin-lane, Upper

- James's-street.

55. Girls' National School, Basin-lane, Upper James's

- street.

56. St. Brigid's Catholic Ragged School, Park-street, West.

57. St. Michael and John's National Schools, Essex-street.

Wednesday, June 9, 1886.

58. Philoborough Sunday and daily Schools, Bha

- galuce Bridge.

59. Almshouses, Girls', Great Britain-street.

60. St. Mark's Parochial Schools, Westland-row.

Wednesday, August 11, 1886.

(Adjourned case for judgment.)

33. St. Bride's Parochial National Schools, Bride-street.

37. Parochial Schools of St. Nicholas Without, and

- St. Luke, New-street.

41. St. James's Parochial Schools, James's-street.

42. St. Catherine's Parochial Schools, Thomas-court.

43. St. Andrew's Parochial Schools, Wicklow-street.

53. St. Michael's Parochial Schools.

Public notice was given of all these sittings, which were attended by the governing bodies and other persons interested in the endowments.

Special sittings were appointed for the consideration of the claims of the various religious denominations at which they were represented by counsel and witnesses.

Representatives of the Schoolmistresses' Associations of Ireland also attended at a special sitting, to urge that the benefit of endowments subject to our jurisdiction should be extended to girls, under the fifteenth section of the Act, which provides that in framing schemes provision shall be made, as far as can be equitably arranged and as the circumstances of each particular locality require, for extending to both sexes the benefit of endowments. Important evidence was given by witnesses on behalf of these associations as to the present need and existing provision for female education throughout Ireland.

The Report of the evidence taken at our public sittings is given in Appendix A,* and Appendix B† contains copies of the more important documents which were given in evidence, or which appeared upon our minutes.

The Assistant Commissioners visited such schools in Dublin and its neighbourhood as it was thought necessary to inspect.

* Appendix A., Oral Evidence, *infra* pp. 1 to 382.

† Appendix B., Documents, *infra* pp. 383 to 487.

Having completed our preliminary inquiries in the cases of the following endowments, we published draft schemes for their future government and management:—

First published June 15, 1886:—

- No. 1. "The School at Swords, County of Dublin," (Swords Borough School.)
- No. 2. "The Society for Promoting the Education of the Poor in Ireland," and "The Church of Ireland Training College," both of Kildare-places, in the City of Dublin.

First published June 26, 1886:—

- No. 3. "Morgan's School," and "Mercer's School," both situate at Castleknock, in the County of Dublin.

First published August 21, 1886:—

- No. 4. "The Methodist Female Orphan School," in the City of Dublin.
- No. 5. "The Parochial School of Raheny," and "The Parochial School of Coolock," both in the County of Dublin.

Appendix C* contains copies of these draft schemes as first published.

The twenty-second section of the Act provides that during two months after the first publication of each draft scheme, we shall receive objections thereto and amendments proposed thereon. To the schemes Nos. 1, 2, and 3 we received the following objections from bodies and persons interested:—

No. 1. The School at Swords:—

- 1. "The Governors of the School at Swords;"
- 2. The Commissioners of National Education;
- 3. The Commissioners of Charitable Donations and Bequests;
- 4. The Local Government Board, Ireland;
- 5. "The Standing Committee of the General Synod of the Church of Ireland";
- 6. "The Vestry of Swords Parish";
- 7. R. W. Griffin, Esq., M.D.;
- 8. F. J. Davys, Esq., M.D.

No. 2. The Training College:—

- 1. The Joint Committee of the existing Governing Bodies;
- 2. The "Acting Committee" of the Society for promoting the Education of the Poor of Ireland;
- 3. The Commissioners of National Education;
- 4. The Commissioners of Charitable Donations and Bequests;
- 5. The Local Government Board, Ireland;
- 6. The Right Hon. R. R. Warren, M.D.;
- 7. John H. Nunn, Esq.;
- 8. "The Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland";
- 9. C. H. Keene, Esq.

No. 3. Morgan's and Mercer's Schools:—

- 1. The Existing Trustees of Mercer's School;
- 2. The Commissioners of Charitable Donations and Bequests;
- 3. The Local Government Board, Ireland;
- 4. "The Standing Committee of the General Synod of the Church of Ireland";
- 5. The Incumbents of the Parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without;
- 6. Rev. Canon Sadleir, M.A., Rector of Castleknock;
- 7. Rev. Canon Jellett, M.A.;
- 8. Miss Curtis and Mrs. Semple.

A further public inquiry under the twenty-second section of the Act was held as regards each of the first two draft schemes, and the Judicial Commissioners, after conference with the Assistant Commissioners and full consideration of all the objections and amendments furnished in the three cases, completed Schemes for the future management of the Schools at Swords, the Church of Ireland Training College, and Morgan's and Mercer's Schools, which on September 30, 1886, were duly signed and submitted for the approval of the Lord Lieutenant in Council. These Schemes will be found in Appendix D.†

* Appendix C, Draft Schemes, *infra*, pp. 428 to 515.

† Appendix D, Schemes submitted to Lord Lieutenant, *infra*, pp. 516 to 534.

During the current month of October we propose to hold a series of local inquiries in the province of Ulster, where the most important Royal schools are situated. We hope at the same time to investigate the principal endowments of private origin in that province, to inspect the schools, and to consider the personal and local claims upon the endowments.

The number of meetings which we have held during the year for the transaction of the business of the Commission has been as follows :—

79	Meetings of the full Commission.
24	Meetings of the Judicial Commissioners.
21	Meetings of the Assistant Commissioners.

Total, 124 Meetings.

We have also individually taken part in the drafting of Schemes, and have attended at the Office of the Commission for the transaction of routine business.

Under the seventeenth section of the Act, we are obliged, in the settlement of schemes for the future management of endowments, to provide for inspection and for the audit of accounts. In carrying out this provision we thought it would be desirable to take advantage of the services of two public Boards already in existence, both of which are mentioned in the Act, the Local Government Board and the Commissioners of Charitable Donations and Bequests. When the first draft schemes were completed we invited the attention of these Boards to those portions of the schemes in which we proposed to require their co-operation. The correspondence given in Appendix B* followed, from which it would appear that the Commissioners of Charitable Donations and Bequests find it difficult to undertake any substantial amount of work connected with the management or control of educational endowments, and that provision must be made for the cost of audit where undertaken by the Local Government Board.

In conclusion, we deem it right to state that, although the endowments coming within the scope of our Commission may seem large in the aggregate, we are satisfied from the inquiries we have already held that by far the greater number of these endowments, including some of the most valuable, are of private origin and are limited by the intentions of the founders to particular classes of the population. These intentions we are bound under the Act to observe : we have therefore reason to fear that expectations generally raised will be in great measure disappointed, and that the provision for intermediate education in Ireland will remain very imperfect, unless additional funds are provided to supplement the endowments already existing. The necessity for such funds is increased by the fifteenth section of the Act, which provides for the extension of the benefits of the endowments to both sexes. So far as our inquiries have gone, the endowments at present available for female education in Ireland appear to be scanty in the extreme.

All which we have the honour to submit for your Excellency's consideration as our Report in the premises.

Witness our hands this Twentieth day of October, 1886.

GERALD FITZGIBBON.

JOHN NAISH.

GERALD MOLLOY.

JAMES B. DOUGHERTY.

I sign the foregoing Report on the distinct understanding that I am not responsible for the mode in which the title of The Church of Ireland has been dealt with in the published Schemes as finally adopted.

ANTHONY TRAILL.

WM. EDWARD ELLIS, *Secretary*.

* Appendix B No. IV., *infra* pp. 394 to 396.

ABSTRACT OF THE MEETINGS OF THE COMMISSIONERS.

PART I.

SUMMARY OF MEETINGS AND ATTENDANCES.

(A.) TABLE showing the MEETINGS held during the Year.

MEETINGS HELD BY	Number of Meetings held.	Number of these Meetings which were Public Inquiries.	Number of stated Attendances of full Commission.
The full Commission,	79	27	7
The Judicial Commissioners,	24	—	—
The Assistant Commissioners,	21	9	—
Total,	124	36	7

(B.) TABLE showing the ATTENDANCES of the COMMISSIONERS at the Meetings during the Year.

NAMES OF COMMISSIONERS.	Full Commission.		Judicial Commissioners' Meetings.	Assistant Commissioners' Meetings.	Total.
	Meetings.	Stated Attendances.			
JUDICIAL COMMISSIONERS:					
Lord Justice FitzGibbon,	75	6	24	—	105
Right Hon. J. Nash,	48	4	24	—	76
ASSISTANT COMMISSIONERS:					
Very Rev. Dr. Molloy,	69	6	—	21	96
Dr. Trull,	70	6	—	21	97
Professor Dougherty,	73	2	—	21	96

PART II.

MINUTES OF THE FULL COMMISSION.

October 9, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL,
Professor DOUGHERTY.

It was resolved:—

1. That the Commission will proceed to deal, in the first instance, with the endowments under the control of the Commissioners of Education, taking first in order those of public origin. The preliminary stages of the inquiries into other endowments will be taken up as the business of the Commission advances.
2. That the Commission will, as far as possible, investigate consecutively the cases of all endowments belonging to the same locality, beginning with the City and the County of Dublin, and will, whenever local interests appear to require it, hold a public inquiry in the locality before preparing the draft of the scheme.
3. That, before finally adopting any draft scheme, the Commission will consider the cases of all endowments with which it may appear desirable to deal conjointly, and will afford full opportunity to all bodies and persons interested to appear and submit their views.
4. That the Commission will take an opportunity of dealing with some cases of a typical character at an early stage of their proceedings.
5. That, as a period of two months from the 1st October is allowed to governing bodies for giving notice of their intention to lodge draft schemes, the Commission will not during that period hold any public inquiry, but will communicate with the governing bodies so as to collect such information as may be necessary for their subsequent proceedings. During this period the Commission will be prepared also to receive in writing the views of any bodies or parties interested.

The Secretary was directed to write to the Commissioners of Education informing them of the first of these resolutions, and asking them to enable the Commission to bring down the information contained in the Report of 1880 to the present time, and, with this object, to allow the Secretary and Assistant Secretary of this Commission to attend at their Office, and take extracts from their records.

The Secretary was directed to call the attention of the Commissioners of Charitable Donations and Bequests to section 9 of the Act, and to request them to inform this Commission of any endowments which it may appear desirable to bring within that section; also to ask for any information they can give as to endowments* not mentioned in the 1880 Report coming within the scope of this Commission, especially those coming within the terms of section 10, and as to educational endowments* subsequent in date to that Commission, and, with this object, to ask them to allow the Secretary and Assistant Secretary of this Commission to attend at their Office to extract the information from their records.

Letter (October 8) read from J. H. Smith, Esq., Secretary of Public Meeting of Inhabitants of Rathoe, asking to be allowed to submit a draft scheme for Rathoe Royal School.

To be informed that governing bodies are the only parties entitled to lodge draft schemes under section 20. His attention to be called to the second of the above resolutions.

Letter (October 8) read from J. M. Weir, Esq., Head Master, Kilkenny College, applying for a form of notice of intention to submit a draft scheme. [Same reply as J. H. Smith, Esq.]

Letter (September 25) read from Robert Davis, Esq., complaining of the treatment of his son in relation to exhibitions at Portora Royal School.

To be informed that the case of Portora will be inquired into in due course.

The Commission arranged for a stated attendance at the office daily until further order, at twelve o'clock noon, for the transaction of such formal routine or necessary business as might arise. Two to form a quorum.

The Commission adjourned.

GERALD FITZGERSON.

October 16, 1885.

Wm. Edward Ellis, Secretary.

* Appendix B, No. III., pp. 202, 203.

October 12, 1885.

Stated attendance of the Commissioners this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL.

Form of Rental and Form of Schedule of Invested Funds to be filled up by Governing Bodies approved and ordered to be printed.

GERALD FITZGERSON.

October 16, 1885.

Wm. Edward Ellis, Secretary.

October 15, 1885

Stated attendance of the Commissioners held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Dr. TRAILL, Professor DOUGHERTY.

Letters read—

Commissioners of Charitable Donations and Bequests (October 13);

Rev. W. Hutch, D.D., St. Coleman's College, Fermoy (October 14);

W. M. Mitchell, Esq., Architect to Commissioners of Education (October 12);

to be brought before the Commission at their next meeting.

GERALD FITZGERSON.

October 16, 1885.

Wm. Edward Ellis, Secretary.

October 16, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting and of the two subsequent attendances read and confirmed.

It was resolved:—

1. That with respect to the endowments of public origin available for intermediate education, an opportunity be afforded to the representatives of the several religious denominations to appear before the Commission and present their views as regards—

(a.) Their claims upon the endowments in question;

(b.) The manner in which these endowments may be best applied in the interests of education.

2. That this opportunity in the first instance, be afforded on the occasion of the inquiry into the Royal Schools.

3. That it is desirable, as a general rule, to apply endowments to the support of schools already existing and successful rather than to the establishment of new institutions. The Commission will, however, consider the claims of any localities in which it may appear that education is not adequately provided for.

4. That in order to collect the information required to enable the Commission to deal satisfactorily with the endowments applicable to intermediate education, a circular be sent to each intermediate school in Ireland asking for a return showing the extent and character of the education supplied.

The Secretary was directed to submit for approval, at the next meeting, a draft circular to intermediate schools in Ireland to be issued in pursuance of the fourth of these resolutions.

Letter (October 13) read from Commissioners of Charitable Donations and Bequests.

Letter (October 14) read from Rev. W. Hutch, D.D., President, St. Coleman's College, Fermoy, asking—

(1.) Can his College obtain a share of the endowments.

(2.) What steps he should take to bring it under the notice of the Commission.

To be informed that the Commission is not yet in a position to give a definite answer to his questions, but they refer him to the above resolutions as indicating the course they will pursue in the matters before them.

Letter (October 12) read from W. M. Mitchell, Esq., Architect to the Commissioners of Education, offering the Commission any information he can give them.

To be informed that if occasion requires it the Commissioners will communicate with him.

The Commission adjourned.

JOHN NAIRN.

October 17, 1885.

Wm. Edward Ellis, Secretary.

October 17, 1885.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

The Secretary submitted a draft circular to be issued pursuant to the 4th of the resolutions of October 16, which was considered and amended.

The Secretary was directed to send copies of the circular, when finally settled, to all schools of the class qualified to receive results from the Intermediate Education Board.

Letter (October 13) read from Rev. J. R. Annecley, Vaughan Charter School, asking for form of notice (Section 20).

To be informed that governing bodies are the only parties entitled to lodge draft schemes under Section 20 of the Act.

Letter (October 13) read from Rev. W. Steele, D.D., Head Master, Portora Royal School, enclosing a printed statement.

To be informed that when the case of Portora School comes before the Commission his letter will receive due attention.

The Commission adjourned.

JOHN NAISH.
October 26, 1885

Wm. Edward Ellis, Secretary.

October 26, 1885.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Circular to Intermediate schools was further considered, and amended.

Letter (October 24) read from W. A. Sheldrake, Esq., Head Master, Primrose Grange School, Sligo, as to his vested interests.

To be informed that the Commission are not at liberty to advise him as to the effect of the Act and can only refer him to Sections 11 and 12.

Letter (October 26) read from Viscount De Vessi, as to Ballyroan Endowed School.

To be informed that governing bodies of endowments are the only parties entitled under Section 20 of the Act to submit draft schemes; that due notice of any inquiry in reference to any particular endowment will be given, and any person interested may appear, and present his views. Also that if Lord De Vessi will furnish an address at which he can be communicated with, notice of the inquiry will be sent to him direct.

The Commission adjourned.

GERALD FITZGERSON.
November 2, 1885.

Wm. Edward Ellis, Secretary.

October 27, 1885.

Stated attendance of the Commissioners this day at their Offices, 23, Nassau-street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The circular to Intermediate schools was further considered and amended.

Letter (October 21) read from Commissioners of Education stating that all facilities for obtaining information will be afforded in their office to the Secretary and Assistant Secretary of this Commission.

GERALD FITZGERSON.
November 2, 1885.

Wm. Edward Ellis, Secretary.

October 29, 1885.

Stated attendance of the Commissioners this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY.

The circular to Intermediate schools was finally approved, and the Secretary was directed to have same issued, as directed on October 17, 1885.

GERALD FITZGERSON.
November 2, 1885.

Wm. Edward Ellis, Secretary.

* See Appendix B, No. II. (a), and II. (b), pp. 260, 261.

November 2, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting, and of the two subsequent stated attendances, read and confirmed.

Notices of intention to submit a draft scheme under section 20 of the Act were read from the governing bodies of King's Hospital, Dublin, and Swords Borough Schools.

It was resolved:—

That the attention of governing bodies be called to the provisions of the Act relating to such notices, informing them of the procedure which the Commissioners propose to adopt in dealing with draft schemes submitted for their consideration.

A circular to be issued in pursuance of this resolution was drafted, and the Secretary was directed to submit proofs of same at the next meeting.

The Secretary was directed, when issuing the circular to Intermediate schools, to forward a copy marked "for the information of the Press" to newspapers in Dublin, Belfast, and Cork.

Letter (October 27) read from Rev. D. O'Leary, asking that a day be fixed to receive a deputation from the inhabitants of Enniskillen as to Portora Royal School.

To be informed that when the case of Portora School comes before the Commission an opportunity will be afforded to parties interested to appear and present their views.

Memorial submitted from residents in the town and vicinity of Drogheda, seeking aid towards providing superior education for the Roman Catholic population of that district.

To be informed that the consideration of the best mode of extending the usefulness of the endowments to classes and localities hitherto insufficiently provided with suitable schools, and of enabling the members of each religious denomination to share in the benefits, under reasonable conditions, of such funds as ought to be available for their education, will be among the most important duties of the Commissioners. In the course of their inquiries opportunity will be afforded to the inhabitants of each important locality to put forward their views.

It is as yet impossible for the Commissioners to give any definite reply to the application as to the amount and particulars of the endowments with which they may have to deal, the claims upon the funds, and the extent to which they can be made available for objects or localities adequately provided for, can only be ascertained after investigation which must necessarily occupy a long time.

In the course of these investigations the case of Drogheda will receive full consideration, and public notice will be given whenever an occasion offers of which advantage may be taken to state the claims mentioned in their communication.

Letter (October 31) read from the Commissioners of Charitable Donations and Bequests, stating in reply to the minute, October 9, that the subject of that minute is engaging and will engage their most careful consideration, and that they shall not fail to communicate at the earliest moment in their power any conclusions at which they may arrive.

The Commission adjourned.

JOHN NAIRN,
November 3, 1885.

Wm. Edward Ellis, Secretary.

November 3, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letter (November 2) read from Viscount De Voss, as to Ballyroan Endowed School.

To be informed that the Commissioners will be prepared to receive any statement he may submit, and that what was intended to be conveyed in the former letter was that no party except a governing body could submit a draft scheme under the Act, which the Commissioners would be bound to submit to the Lord Lieutenant in Council under Section 23.

The circular as to notices under Section 20 was submitted in proof, and with some amendments was approved.

The Commission adjourned.

JOHN NAIRN,
November 14, 1885.

Wm. Edward Ellis, Secretary.

* See Appendix B, No. 1, p. 332.

November 14, 1885.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

The Secretary reported that the circulars to Intermediate Schools, and those as to notices under section 20, had been issued.

Letters read—

- Rev. A. Jago, B.A. (November 9, 10), as to Robertson's School, Ballintra, and (November 11), as to Robertson's School, Drumholm.
Colonel Hill, Commandant Royal Hibernian Military School (November 9), as to that school.
Wm. Lynght, Esq. (November 12), as to Lesamy School, Limerick.
F. M. Gilmer, Esq. (November 13), as to Mechanics' Institute, Dublin.
Rev. J. W. McKay, B.A. (November 13), as to Methodist College, Belfast.
Rev. H. Alcorn, Diocesan Inspector of Schools, Cork (November 11).
Rev. Dame H. Powell (November 13), as to St. Mary's Schools, Shandon, Cork.

Notices received under section 20 of the Act were submitted from—

- The Commissioners of Education in relation to the Royal Schools.
The Governors of Knight's Charity, Dublin.

Letter (November 12) read from Rev. R. Rice, Warden, St. Columba's College, Rathfarnham, inquiring whether in the event of the governing body of his College voluntarily submitting to the jurisdiction of the Commissioners, and submitting a draft scheme, they could subsequently withdraw it should it be altered contrary to their views of the intention of the founders.

To be informed that the Act does not make any provision for the withdrawal of a draft scheme after its settlement has been submitted to the Commission, and therefore his inquiry cannot be answered in the affirmative. He will observe, however, that the guarantees provided by the Act against the adoption of unreasonable provisions include the necessity for unanimity on the part of the Judicial Commissioners, the approval of the Lord Lieutenant in Council, and the assent of both Houses of Parliament.

It is in all cases of private endowments the duty of the Commissioners, under section 13, to have regard to the spirit of the founder's intentions, and in the case of an endowment excepted from the compulsory jurisdiction of the Commission, but desiring to seek its advantages, if the draft scheme proposed were found to conform to the specific requirements of the Act, the Commission would feel bound to attach especial weight to the proposals of the existing governors.

Letter (November 11) read from Rev. Thomas Moore, LL.D., Secretary, Trustees of Midleton School, Cork, as to the status of the Trustees as a governing body.

To be informed that the Commission will accept notice, and consider a draft scheme lodged by the Trustees, subject to any question that may hereafter be raised as to their status as a governing body.

Letter (November 10) read from Rev. Canon Gregg, Limerick, as to the Limerick Diocesan School premises.

To be informed that the property in the premises appears to be vested in the Commissioners of Education, and that when dealing with the property vested in them, the Diocesan School will be taken into consideration, and he will be communicated with.

Letter (November 10) read from the governors of Villiers' Charity, Limerick, stating that their endowment is exempt.

To be informed that the Commissioners will in time consider whether this endowment is exempt or not; that from the reports before them these endowments would appear to the Commissioners not to be exempt, and they therefore suggest that it might be wise for the governing body to consider the expediency of sending in a provisional notice and draft scheme as mentioned in the recent circular.

Letter (November 9) read from Rev. J. M'C. Jackson, Beltrush, as to a Sunday School endowment the Trustees of which refused to act.

To be informed that the Commissioners cannot advise whether it would be of advantage to apply to them, and if the endowment is exempt, the Trustees or other persons administering its revenues are the persons authorized to consent to its being dealt with. If it be not exempt, any statement he may submit will be inquired into in due course.

Letter (November 6) from Rev. T. B. S. Collins, B.A., Secretary, Alexandra College, Dublin.

To be furnished with copies of the recent circular.

Letters (November 7, 12) read from Very Rev. W. Warburton, Dean of Elphin, as to Bishop Hodson's Grammar School.

To be informed that many of his suggestions appear suitable for a draft scheme; that the Commissioners cannot say whether the endowment is exempt or not, but that in any view he should convene a meeting of the governing body to determine before November 30, what course they will adopt.

Letter (November 12) read from Rev. Canon Sadleir, B.D., stating that Castleknock Parochial School endowment is vested in the Representative Church Body.

To be informed that the Commissioners cannot advise whether the endowment is exempt or not, but from the Parliamentary Reports before them the settlement of a scheme for its management

would appear to be desirable, and he would appear to be its Trustee. The Commissioners are unaware of any reason for supposing that the endowment is vested in the Representative Body.

Letter (November 3) read from A. A. Burd, Esq., Head Master, Middleton College, Cork.

To be informed that as far as the information now before the Commissioners can show, Middleton College does not appear to be exempt, but this question may have to be judicially decided.

It was resolved—

That until further notice stated meetings of the Commission be held weekly on Saturdays, at 1.30 o'clock, P.M.; and stated attendance of the Commissioners on Wednesdays at 4.15 o'clock, P.M.

Wm. Edward Ellis, Secretary.

JOHN NAIRN.

November 21, 1885.

November 18, 1885.

Stated attendance of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL.

Several notices received under Section 20 of the Act were submitted.

Letter (November 17) read from W. B. Roche, Solicitor for Rev. Dr. Sadleir, enclosing copy of opinion of Mr. J. J. Twigg, Q.C., that the Castleknock Parochial School is vested in the Representative Body by the Irish Church Act.

To be informed that as the Endowment is stated to be invested in the Representative Body, it would appear to be the duty of the Commissioners at the proper time to consider whether a scheme should be settled for it, and that it is for the Governing Body to consider their own course as to carrying notice or lodging a draft scheme, under Section 20. That when the Endowment is reached, due notice will be given to the Representative Body and Dr. Sadleir, as to the time when it will be taken up.

Letters (November 15, 16) read from Rev. W. Moore Morgan, M.D., suggesting that the Intermediate Education Board, should be treated as a Governing Body, and that their funds should be treated as an Endowment under this Act.

The Secretary, was instructed to acknowledge the receipt of Dr. Morgan's two letters, and to say that they have been laid before the Commissioners.

Letter (November 16) read from Mr. Samuel White, Secretary of the Committee of Management, Provincial School of the Society of Friends, Newtown, Waterford, as to Form No. 7 (Circular to Intermediate Schools).

To be informed that, as the information is asked for with a view to obtaining a general statement, the Commissioners should be obliged if the form were filled up by the Head Master, even, though the school may be exempted from the operation of the Act.

Letter (November 16) read from Rev. G. Gallesith, as to Erasmus Smith's Schools, Pound-hue, Limerick, contending that they are exempt.

To be requested to send up a copy of the deed referred to in his letter.

Letter read from Miss Aylmer, as to Bethesda Female Orphan School, Dublin.

The Commission adjourned.

JOHN NAIRN.

Wm. Edward Ellis, Secretary.

November 21, 1885.

November 21, 1885.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting and of the subsequent stated attendance were read and confirmed.

Letters read:—

Rev. G. Smith (November 18), as to Twilight Finlagan Schools, County Londonderry.

Rev. S. P. Warren (November 18), as to Ballyrigan Scriptural Endowed School, County Dublin.

Rev. Thomas M. Benson (November 18), as to Ballymoney Erasmus Smith's English School, County Antrim.

Several notices received under section 20 of the Act were submitted.

Letter (November 19) read from the Commissioners of Charitable Donations and Bequests stating they will allow the Secretary and Assistant Secretary of this Commission to inspect and make extracts from the "Will Book" kept in their office, but not to remove it from their custody.

Letter (November 18) read from Secretary of the Blue School, Drogheda.

To be referred to the circular recently issued with regard to the question of the endowment coming within the Act, and also to be informed that it is for the governing body to consider whether they will give notice of a draft scheme before December 1, provisionally or otherwise.

Letter (November 20) read from Rev. D. P. Mulcahy, R.P., suggesting scheme for Swords Borough School.

To be informed that the Commission have received from the governing body of Swords Borough School a notice of intention to submit a draft scheme, and that as soon as such draft scheme is

lodged they will take an early opportunity of holding an inquiry in reference to the endowment, of which due notice will be given, and upon which they will consider his proposal with others that may be submitted. They will also visit the place.

The Secretary was directed to send a copy of the circular to governing bodies as to draft schemes, to the Intermediate Education Board, and to the three Queen's Colleges.

The Secretary intimated that although the notice from the Incorporated Society did not contain any reservation, the Secretary of the Society, when handing it in, stated that it was a provisional notice.

To inform the Secretary of the Society that as the notice was intended to be provisional, the Commissioners desire to call his attention to the fact that it does not state so on the face of it, and also that if the Society desires that the notice should take effect provisionally only it should be amended accordingly.

The Secretary was directed to inform each governing body from whom a provisional notice has been received that the Commission propose as soon as can be conveniently arranged to consider the question of exemption reserved by the notice, and that this will be done at a sitting appointed for the purpose, of which notice will be given; also to request that a copy—certified to be correct by the authority of the governing body—be furnished to the office of each deed, charter, will, or other document now regulating or affecting the application of the endowment or bearing upon the question of exemption, or to name a time when an officer of the Commission can inspect the originals and make copies or extracts therefrom. Upon the occasion of the inquiry the production of the originals will be required.

Letter (November 16) read from Rev. Robert Irwin, complaining of the withdrawal by Erasmus Smith's Board of the grant made to Donadee Parochial School.

To be informed that when the case of Erasmus Smith's endowments comes to be dealt with his letter will be considered, and that in the meantime the Commission will be glad to have any information as to the school premises.

Letter (November 14) read from Rev. E. A. Cooper, B.D., contending that Woburn School in his parish (Carrowmore, County Down) is exempt.

To be informed that the endowment appears to come within the scope of the Act of Parliament. The Commission adjourned.

JOHN NASH.

November 25, 1885.

Wm. Edward Ellis, Secretary.

November 25, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of previous meeting read and confirmed.

Letters read:—

Rev. D. Wilson and Rev. W. J. Clarke (November 24), as to Villior's Charity, Limerick.

Rev. E. M. Moore (November 24), as to Mayne School, Cooke, Westmeath.

Rev. T. H. Fleming (November 24), as to Rockfield Institution, Clifden, County Galway.

Ven. L. H. Strome, Archbishop of Glendalough (November 24), as to Delgany Parochial Schools.

Thomas Green, Esq., Sec., Rep. Church Body (November 24), as to Castleknock Parochial School.

H. Harden, Esq. (November 23), as to St. Thomas's Parochial Schools, Dublin.

Rev. J. Smith (November 21), as to Kilsnall, Wexford.

Several notices received under section 20 of the Act were submitted.

Letter (November 24) read from Mr. A. M'Mullan, enclosing a form of notice filled up as to Merchant Taylor's School, Dublin.

To be informed that the Commission, on reading his notice, are unable to ascertain whether it is the intention of the Trustees to submit a draft scheme or not, also that it is open to the Trustees to give notice provisionally, and that the question of exemption will be considered in due course.

Letter (November 24) read from the Rev. N. H. James, as to Teaghy School, County Armagh.

To be informed that the governing body of the school can submit a draft scheme under section 20 of the Act, and if they consider it desirable to do so notice should be sent in.

Letter (November 23) read from Rev. J. H. Gatchell, as to Edward's School, Castledarg.

To be informed that the Commission have not before them sufficient information to enable them to decide whether the endowment is exempt from their jurisdiction or not. If it is considered desirable in the interests of the endowment to submit a scheme provisionally, notice should be given.

Letter (November 23) read from Rev. W. E. Fleming, as to endowment of Kilskeery School, Tyrone.

To be informed that the Commission cannot give any advice as to the drawing up of a scheme. If a scheme be submitted by the governing body, it will be duly considered and in such case notice must be given.

Letter (November 23) read from Rev. Hugh Edgar, as to Augherilly National School, Armagh.

To be informed that the Commission have not before them the materials to enable them to determine whether the endowment of his school is exempt or not. The question of submitting a draft scheme is one that must be considered and decided by the governing body.

Letter (November 30) read from Rev. G. Gallraith, in reply to minute asking if the Commission will pay the cost of having the endowment deed copied.

To be informed that his letter will be submitted to the Commission.

[This reply was sent, pending the settlement of the question generally as to whether any, and if any, what payment was to be made for copies of documents relating to endowments.]

The Commission adjourned.

Wm. Edward Ellis, Secretary.

GERALD FITZGERALD.

December 5, 1885.

December 2, 1885.

Stated attendance of the Commissioners this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice NAISH, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read—

E. Townsend, Registrar (November 28), as to Queen's College, Galway.

Alex. Jack, Registrar (November 30), as to Queen's College, Cork.

T. B. Montgomery (November 25), as to Foyle College, Londonderry.

Very Rev. A. H. Louch, Dean of Cabel (November 24), as to Parochial Schools in the parish of Cabel.

B. B. Edge (November 23), as to Killatan National Schools, Queen's County.

The Secretary reported that the notice received from the Incorporated Society had been amended so as to make it a provisional notice as defined in the recent circular to governing bodies.

Letter (November 30) read from the Registrar of the Erasmus Smith's Board, enclosing copy of their charter, and the consideration of it was deferred.

Letter (November 25) read from Registrar of King's Hospital, Dublin, withdrawing the notice lodged by the Governors of that institution under section 50 of the Act.

A printed communication (November 29) read from Very Rev. the Dean of the Chapel Royal as to Ralph Macklin Schools, Dublin.

To be informed that he will receive due notice of the holding of an inquiry in reference to the Ralph Macklin Schools, and he will then have an opportunity of submitting his views.

Letter (November 25) read from Very Rev. the Dean of Elphin, enclosing a resolution of the Dean and Chapter as to Bishop Hodson's Grammar School.

To be informed that the suggestions therein made will receive due attention.

Letter (November 30) read from Thomas West, Esq., as to Bush National School, Co. Antrim, asking whether the Commission can give the governing body any facilities for changing a renewable lease to a fee-farm grant.

To be informed that the question of the conversion of a lease for lives renewable for ever into a fee-farm grant is not one with which the Commission can interfere.

Letter (November 25) read from P. McDermott, as to an endowment for Manorhamilton parish, Co. Leitrim.

To be informed that when the question of the endowment therein referred to comes to be considered public notice of the hearing will be given.

Letter (November 27) read from Rev. J. J. Sergin, calling attention to an endowment of £40 left to Charleville parish by an Earl of Cork.

To be informed that the matter therein referred to shall receive due attention.

Letter (November 26) read from M. C. Dennis, Esq., as to the Schools at Ballyglass, Co. Wicklow.

To be informed that a proper opportunity will be afforded him of establishing his claim that the endowment is exempt from the operation of the Act.

Letter (December 1) read from Joseph Redley, Head Master, Ulster Provincial School, Lismore, asking whether his filling up Form No. 7, would prejudice the claim to exemption.

To be informed that his committee will not, by sending in the replies referred to, prejudice their right to be exempt from the operation of the Act should they in fact be so.

Letter (November 23) read from Rev. B. B. Gough, as to endowments of schools in the parish of Maghera, Co. Londonderry.

To be informed that the Commission is not in a position to say whether the endowments therein referred to are exempt or not. If any step is taken by the Commission with regard to the school, he will have full notice.

Letter (November 25) read from Very Rev. the Dean of Cloufery, as to the endowment for the Mountjoy Demense School in his parish of Cappagh, Co. Tyrone.

To be informed that if it should appear that the Mountjoy Demesne endowment comes within the jurisdiction of the Commission the suggestions contained in his letter will receive due attention when the endowment comes to be looked into.

The Secretary submitted a schedule of notices lodged under section 20 of the Act.

Wm. Edward Ellis, Secretary.

GERALD FITZGERDON,

December 5, 1885.

December 5, 1885.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAIRN, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting and of the subsequent stated attendance read and confirmed.

Letters read—

- Rev. W. Prior Moore (December 3), as to Cavan Royal School.
- Rev. Osmund Greene (December 3), as to Love's Charity, Dublin.
- Rev. W. H. Fisher (December 3), as to Finglas Parochial School, Co. Dublin.
- Messrs. Stansell and Son, Solicitors, (December 3), as to Hibernian Marine Society.
- Rev. G. B. Sayers (December 3), as to Upper and Lower Ballynary National Schools, Co. Antrim.

Letter (November 20) read from Rev. G. Galbraith.

To be informed that the Commission will pay him the cost of copying the deed at the rate of 2d. per folio of seventy-two words, being the Chancery rate for copying.

Letter (December 4) read from Secretary of the Commissioners of Education, applying for the written consent of the Commissioners as required by Section 12 of the Act to the following works. The enlargement of a playshed at Clonmel School estimated to cost £42. The erection of a new cowshed at Middleton College, estimated to cost £36 16s.

To be informed that as the proposed works at Clonmel and Middleton are not of a very extensive character, and are such as in the ordinary course of management would be executed, they hereby consent in writing to the execution, at a cost not exceeding the sums mentioned, of the alterations specified in his letter, and also that this consent will not affect the exercise of the powers of the Commission as regards the schools.

It was arranged that the Commissioners should sit on Tuesday, December 15, and following days, at eleven o'clock, in order to consider the following cases of provisional notices from schools in or near Dublin upon the preliminary question of exemption from the jurisdiction of the Commission. These cases are to be listed in the following order:—

Queen's College, Cork—day to be specially fixed for the convenience of the authorities.

For Tuesday, December 15, at eleven o'clock.

- I. Erasmus Smith's Schools.
- II. Incorporated Society.
- III. Hibernian Marine Society.
- IV. Church of Ireland Training College; Kilbarrack-place Society.

For Wednesday, December 16, at eleven o'clock.

- V. Alexandra College and School, Dublin.
- VI. Claremont National Institution for the education of the Deaf and Dumb.
- VII. Dublin Unitarian Schools, St. Stephen's-green.
- VIII. Bertrand Female Orphan School, Dublin.
- IX. Plunkett's Asylum, Dublin.
- X. Mercer's School, Castleknock.
- XI. Knight's Charity, Dublin.

For Thursday, December 17, at eleven o'clock.

- XII. Ralph Macklin Schools, Dublin.
- XIII. Love's Charity, Dublin.
- XIV. Newry Mahon Trust (St. Patrick Desany Schools).

PAROCHIAL SCHOOLS.

- XV. St. Peter's Parochial Schools.
- XVI. Wray School (St. Peter's Parochial Infant School).
- XVII. St. Michan's Parochial Schools.
- XVIII. Finglas Parochial School.
- XIX. Coolock Parochial School.

The Secretary was directed to give notice to each governing body included in the list, and to inform them that any case remaining from the previous day's list is to take precedence on the next day.

To inform each governing body that this hearing will be confined to the question of exemption, and that on this occasion no question will be entertained regarding the provisions of the scheme to be submitted (if any), and that they will be required to point out the grounds upon which exemption is claimed and the evidence upon which the claim is based.

To give notice to each governing body to produce at the hearing each charter, deed, will, statute, or other document regulating or affecting the application of the endowment, or bearing upon the question of exemption or other legal evidence of its contents.

Letter (November 27) read from Alex. Jack, Registrar, as to Queen's College, Cork.

To be informed that the Commission have fixed the above days for sittings to consider the question of exemption, and that the Queen's College, Cork, being among these, they are anxious to consult the convenience of its authorities and are willing to take it up upon whichever of the three days would be most convenient to them.

The Commission adjourned.

Wm. Edward Ellis Secretary.

ANTHONY TRAILL.

December 12, 1885.

December 9, 1885.

United attendance of the Commissioners this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERALD, Lord Justice NASH, Rev. Dr. MOLLOY, Dr. TRAILL.

Letters read:—

R. W. Gamble, Esq., q.c. (November 7), as to Kilisnoo-place Society.

Messrs. Hume and Falkner, Solicitors (November 8), as to Unitarian Schools, Stephen's-green, Dublin.

W. Lyaght, Esq. (November 8), as to Leamy School, Limerick.

Rev. D. O'Leary (November 8), enclosing Memorial from Protestant inhabitants of Enniskillen as to Portora Royal School.

Messrs. Townsend (December 7), as to Neary-Maken Trust.

B. G. Darley, Esq., M.P. (December 8), as to Coolock Parochial School.

Rev. T. A. McKee, D.D. (December 7), as to Wesley College, Dublin.

Letter (December 8) read from Mr. J. W. Boorke, Solicitor, for the Queen's College, Cork, asking that some hour on Tuesday, December 15, be fixed for that institution.

To be informed that the Commission will consider the case of Queen's College, Cork, at eleven o'clock on Tuesday.

The Registrar of Erasmus Smith's Board to be informed that it having been originally arranged that the case of the Queen's College, Cork—the endowment not being in the neighbourhood of Dublin—should be taken up at such time as would be most convenient to the authorities of that college, they have asked that it should be taken up first on the list for Tuesday, and that the case of Erasmus Smith's Schools will be called immediately after.

The Secretary was directed to inform the Rev. W. H. Fischer in reference to Finglas Parochial School, that the original Vestry Book should be produced at the sitting on Thursday, December 17.

Letter (December 8) read from Rev. S. Johnson as to Newport (Mayo) Parochial School.

To be informed that the case will be considered in due course, and that he will receive due notice.

Letter (December 8) read from Rev. Thomas Long as to St. Nicholas's Parochial School, and the Secretary was directed to make inquiries as to the Crosby Fund mentioned in Mr. Long's letter.

ANTHONY TRAILL.

December 12, 1885.

Wm. Edward Ellis, Secretary.

December 12, 1885.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting and of the subsequent stated attendance read and confirmed.

Letters read:—

Rev. S. Tomlinson (December 11), withdrawing claim of exemption in the case of Knight's Charity.

Messrs. J. Mansfield and Son, Solicitors (December 11), enclosing copy of will and codicil of Ralph Macklin, and of Chancery Decree relating to the Ralph Macklin Schools.

Messrs. Hume and Falkner, Solicitors (December 10), as to Unitarian Schools, Stephen's-green.

Rev. Canon Gregg (December 11), withdrawing his claim of exemption on behalf of Limerick Diocesan School.

Rev. J. W. Hopkins (December 11), as to Aghera School, County Cork.

Rev. J. W. McEay, D.D. (December 9), contending that Methodist College, Belfast, is exempt.

Letters read from the following withdrawing the notices respectively given by them, but still contending that they are exempt:—

Rev. J. G. Carleton (December 10), as to Pleasant's Asylum, Dublin.

Thomas Glick, M.P. (December 11), as to Bartond Female Orphan School, Dublin.

Rev. Canon Jellett D.D. (December 11), as to Mercer's School, Castleknock.

- To be informed that the Commission see no reason from their respective letters to make any

change in the arrangements that have been made for considering the question of exemption, and that, as communicated to them already, each case will be considered on the day fixed therefor.

Letters (December 11) read from Rev. Canon Jellett, LL.D., as to St Peter's Parochial School and Wray School (St. Peter's Parochial Infant School).

To be informed that as the cases have been listed for Thursday, December 17, the Commission think it desirable that the governing body should be represented on that day.

The Commission adjourned.

JOHN NASH.

December 15, 1885.

Wm. Edward Ellis, Secretary.

December 15, 1885.

PUBLIC SITTING.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Lord Justice NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Mr. Henry Hunt, shorthand writer, was in attendance.

The Archdeacon of Dublin, the Recorder of Dublin, and Mr. W. G. Brooke, attended as representing the General Synod of the Church of Ireland.

The Rev. J. M. Hamilton with Mr. J. J. Shaw, Barrister-at-law (instructed by Mr. James Henry, Solicitor), attended as representing the Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland.

In the case of Queen's College, Cork, Mr. G. V. Hart, Barrister-at-law (instructed by the Crown and Treasury Solicitor), applied on behalf of the Crown for an adjournment to enable the Law Officers—at present absent from Dublin—to appear.

Mr. John Roche, Q.C. (instructed by Mr. J. W. Bourke, Solicitor, Cork), appeared on behalf of the President and Council of the College.

In the case of Erasmus Smith's Schools, Mr. John Mammell, on behalf of the Governors applied for an adjournment to enable the counsel employed, the Attorney-General for Ireland and Mr. William Anderson, Q.C.—both absent from Dublin—to appear.

These cases were fixed for Friday, January 8, at 11 o'clock, A.M.

In the case of the Incorporated Society, Mr. E. T. Bewley, Q.C. (instructed by Messrs. H. T. Dix and Son, Solicitors), appeared for the Society. The Commission heard Mr. Bewley, Mr. Shaw (representing the Presbyterian Committee), and the Recorder of Dublin (representing the Church of Ireland General Synod).

Rev. J. W. Hackett was also present.

The Commission decided that they would dispose of the case finally on Thursday, December 17, at 11 o'clock, A.M.

The Commission adjourned.

JOHN NASH.

December 16, 1885.

Wm. Edward Ellis, Secretary.

December 16, 1885.

PUBLIC SITTING.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Lord Justice NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Mr. Henry Hunt, shorthand writer, was in attendance.

The Archdeacon of Dublin, the Recorder of Dublin, and Mr. W. G. Brooke, attended as representing the General Synod of the Church of Ireland.

The Rev. J. M. Hamilton with Mr. J. J. Shaw, Barrister-at-law (instructed by Mr. James Henry, Solicitor), attended as representing the Intermediate Education Committee of the General Assembly of the Presbyterian Church of Ireland.

Rev. W. McFullan attended as representing the Methodist Church.

In the case of the Hibernian Marine Society, Mr. J. J. Twigg, Q.C. instructed by Messrs. Stansell and Son, Solicitors, appeared for the Society. The following also attended:—Rev. A. Campbell, D.D.,

and Dr Sutherland, Governors, and Mr. F. De Lisle, Registrar. The Commission heard Mr. Twigg; and also Mr. Shaw (representing the Presbyterian Committee), and decided that they would finally dispose of the case, with that of the Incorporated Society, on Thursday, December 17, at 11 o'clock, A.M.

In the cases of the Church of Ireland Training College and Kildare-place Society, Alexandra College and School and Knight's Charity, the claims of exemption were withdrawn.

It was ordered:—

That the notices lodged now stand as ordinary unconditional notices.

In the case of Claremont National Institution for the Deaf and Dumb, the Dean of the Chapel Royal, Honorary Secretary, was heard in support of the claim.

Ruled:—

That the Act does apply to the Claremont National Institution.

In the case of Dublin Unitarian Schools, St. Stephen's-green, Mr. R. W. Shekleton, Q.C. (instructed by Messrs. Hone and Falkner, Solicitors), was heard in support of the claim.

Ruled:—

1. That the Act does not apply to the endowment of the Singleton School unless with the consent of the governing body.

2. That the Act does apply to the endowments of the schools formerly in connection with the Unitarian congregation, Strand-street, without like consent.

3. That the Act does apply without such consent to the endowments of the school formerly known as the "Essex-street School," and to the Lawton Apprenticeship Fund and the accumulations thereof.

In the case of Bertrand Female Orphan School, Dr. Glick, Secretary, appeared in support of the claim, and Mr. Shaw (representing the Presbyterian Committee), against it.

Ruled:—

That the Act does apply to the Bertrand Female Orphan School.

In the case of Piesanants' Asylum, Rev. J. G. Carleton, Rev. J. H. MacMahon, and Rev. Robert Fleming, Governors, attended. Rev. J. G. Carleton was heard in support of the claim, and Mr. Shaw, S.L. (representing the Presbyterian Committee), against it. It was decided that the case be finally disposed of with the cases of the Incorporated Society and the Hibernian Marine Society, on Thursday, December 17, at eleven o'clock, A.M.

In the case of Mercer's School, Castletown, Mr. J. J. Twigg, Q.C. (instructed by Mr. R. W. Rooke, solicitor), appeared in support of the claim. The Dean of St. Patrick's and Rev. Canon M. W. Jellett also attended as Governors of the school. Mr. Twigg having been heard,

Ruled:—

That the Act does apply to Mercer's School.

JOHN NASH.

January 8, 1893.

Wm. Edward Ellis, Secretary.

December 17, 1892.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FRIZZGIBSON, Lord Justice NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Henry Hunt, shorthand writer, was in attendance.

The following judgments were delivered:

That the Act does apply to the Incorporated Society for promoting English Protestant schools in Ireland.

That the Act does apply to the Hibernian Marine Society.

That the Act does not apply to Piesanants' Asylum except with the consent of the governing body.

In the cases of Ralph Macklin Schools and Love's Charity the claims of exemption having been withdrawn,

It was ordered:—

That the notices lodged do now stand as ordinary unconditional notices.

In the case of the Neary Mahon Trust, the Dean of St. Patrick's claimed that the £20 intrusted him for St. Patrick's Deanery School was exempt, and Mr. H. A. Taylor claimed that the £20 allocated to Sandford School was also exempt.

Ruled:—

That the Act does not apply to the portions of £20 per annum, each allocated out of the Neary Mahon Trust Funds to those schools, without the consent of the governing bodies.

On the application of Rev. Canon Jellett, LL.D., the cases of St. Peter's Parochial School and Wray School were adjourned to Friday, January 8.

In the case of St. Michan's Parochial School as no person appeared in support of the claim,

It was ordered :—

That Rev. Mr. Long be informed that, as he did not appear before the Commissioners in support of his claim for exemption, the claim was accordingly struck out of the list, but it will be open to him either to lodge a scheme within the time limited, or, if the Commissioners should take up the case, then to rely upon any ground of exemption he may have.

In the case of Finglas Parochial School the Rev. W. H. Pilcher was heard in support of the claim of exemption.

Ruled :—

That the Act does not apply to Finglas Parochial School unless with the consent of the governing body.

In the case of Coolock Parochial School the Rev. J. S. S. Shields, B.D., appeared in support of the claim of exemption.

Ruled :—

That the Act does apply to Coolock Parochial School.

After the public sitting the Commission held a meeting at which they examined the papers in all other cases in which provisional notices have been lodged.

It was directed that in the several cases following, the governing bodies be communicated with in the terms specified in each case.

Gwyn Institution, Londonderry.

As it appears from the will of the founder and the Act of Parliament of 1830, that the endowment is not applicable or provided exclusively for the benefit of any particular religious denomination, and also that it is not under the control of persons of that denomination, the Commissioners are of opinion that the Act applies to the endowment, and they would therefore request the governing body to act on their intention of sending in a draft scheme. The existence of a special Act of Parliament regulating the endowment does not oust the jurisdiction of the Commission though its provisions would be taken into consideration in preparing a scheme. If any ground of exemption has been overlooked the Commissioners would be prepared to consider any observations of the governing body on the subject, but at present the endowment clearly appears to be subject to the Act.

Foyle College, Londonderry.

On reading the special Act of Parliament regulating the management of the College it would appear to be open to persons of various religious denominations and to be under the government of a mixed body, and that the Act would therefore appear to apply to it. The existence of a special Act for regulating the endowment does not oust the jurisdiction of the Commission, though its provisions would be taken into consideration in preparing a scheme. If any ground of exemption has been overlooked the Commission would be prepared to consider any observations of the governing body on the subject, but at present the endowment appears clearly to be subject to the Act. It would therefore seem to the Commission that the governing body should submit a draft scheme within the prescribed time, viz., before January 31, 1886. No question regarding the constitution of the governing body or the management of the endowment could be entertained on the question of exemption, but all such considerations will arise on the settlement of the scheme.

Robertson's Schools, County Donegal.

As it appears from the will of the founder of this endowment that the benefits are to be extended to persons of all religious denominations, the Commissioners are of opinion that the Act does apply to it. If any ground of exemption has been overlooked, the Commissioners would be prepared to consider any observations of the governing body on the subject, but at present the endowment clearly appears to be subject to the Act. Under section 13 of the Act, a copy of which is herewith enclosed, it would be the duty of the Commission in sending a scheme to have regard to the spirit of the founder's intentions, but on the claim for exemption, no question could be entertained regarding the constitution of the governing body or the management of the endowment till such considerations will arise on the settlement of the scheme. It would therefore appear to them that the governing body should submit a draft scheme within the prescribed time, viz., before January 31, 1886.

Friends' School, Mountmellick.

To be asked to furnish a statement of the grounds upon which exemption is claimed, and of the conditions upon which children of denominations other than the Society of Friends are admitted to the advantages of the endowment.

Carrowbeg National School, County Donegal, and Moville National School, No. 1, County Donegal.

As it appears that the school is a mixed one, and that the governing body is not exclusively of one particular religious denomination, the Commission are of opinion that the school is not exempt. It would therefore appear to them that the governing body should submit a draft scheme within the prescribed time, viz., before January 31, 1886.

Cartleceannor and Kilglass Schools, County Mayo.

To be asked for a copy of the will and a statement of the grounds on which the claim of exemption is based.

Tullyvin Endowed School, County Cavan (Local Trustees).

The attention to be called to the fact that the Commissioners of Education, who have the control of the endowment, have served an unconditional notice of intention to lodge a draft scheme. The claim of exemption cannot therefore be admitted, but it will be open to those interested in the endowment on the settlement of a draft scheme to submit their proposals as to its application, and also to consider whether they will lodge a draft scheme within the prescribed time.

Glantham School, Kilkenny, County Cork.

To be asked for a copy of the grant of 1832, and a statement of the grounds on which the claim of exemption is based.

Craig's Parochial National School, County Antrim.

As it appears that the school is a mixed one, and that the governing body is not exclusively of one particular religious denomination, the Commission are of opinion that the school is not exempt, it would, therefore, appear to them that the governing body should submit a draft scheme within the prescribed time, viz., before January 31, 1886.

Crilly School, Aghaloo, County Tyrone.

To be asked for a copy of will of 1842, and a statement of the grounds on which the claim of exemption is based.

Dreincourt School and Mall School, Armagh.

To be asked for a statement of the grounds upon which the claim is based, and to be informed that as the schools appear to be open to persons of all religious denominations, and in connexion with the National Board, they would seem to be subject to the jurisdiction of the Commission.

Ulster Society for the Deaf, Dumb, and Blind.

As the governing body of the society is a mixed body, and as the benefits are not restricted to any one particular religious denomination, it would appear not to be exempt. Glanvinst Institution, Glanvinst, has been already ruled not to be exempt. It would, therefore, seem to the Commission that the governing body should submit a draft scheme within the prescribed time, viz., before January 31, 1886. If any ground of exemption has been overlooked the Commission would be prepared to consider any observations of the governing body on the subject, but at present the endowment appears clearly to be subject to the Act. Upon the settlement of a scheme it will be the duty of the Commission to have regard to the intentions of the founder in its management.

Saint Mary's (Shandon) Schools, Cork.

To be asked for a statement of the grounds upon which the claim of exemption is based, and for a copy of the deed of foundation. The schools appearing to be open to persons of all religious denominations, and in connexion with the National Board, they would seem to be subject to the jurisdiction of the Commission.

Thomastown Parochial School, County Kilkenny.

To be asked for a copy of the deed of grant by the Earl of Carrick, and to be informed that the points on which the claim of exemption is based would seem to be matters proper to be considered on the settlement of a draft scheme, also that as the endowments of Thomastown School do not appear to be applied and provided exclusively for persons of a particular religious denomination, the Act applies.

Bishop Foy's Endowments, Waterford.

To be asked for a statement of the grounds upon which the claim of exemption is based, and a copy of the instrument of foundation, and also whether, in the event of the Commission holding, upon a consideration of the will, that the benefit of the endowment is exclusively applicable for the benefit of persons of one particular religious denomination, the governing body would desire to have a scheme settled upon that basis with their consent.

Green Coat Hospital, Cork.

To be asked whether the benefits of the endowment are extended to children of Protestant denominations other than the Church of Ireland, and also whether the governing body exclusively consists of members of the Church.

Ballinderry (Upper and Lower) Schools, County Antrim.

As it appears that the benefits of the endowment are not restricted to persons of one particular religious denomination, the Commission are of opinion that it is not so exempt, and therefore it will be for the governing body to consider the expediency of lodging a draft scheme. In the settlement of a scheme it will be the duty of the Commission to have regard to the spirit of the founder's intentions both as regards the constitution of the governing body and the application of the endowment.

The Secretary was directed to prepare the draft of a report to be submitted to Parliament.

The Commission adjourned.

JOHN NAIK.

January 8, 1886.

Wm. Edward Ellis, Secretary.

January 8, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERDON, Lord Justice NAISH, Dr. TRAILL, Professor DOUGHERTY.

Minutes of two preceding meetings read and confirmed.

Mr. Henry Hunt, shorthand writer, was in attendance.

In the case of Queen's College, Cork, Mr. John Roche, Q.C. (instructed by Mr. J. W. Bourke Solicitor, Cork), appeared for the President and Council of the College. There were also present, Rev. Dr. Porter, President, Queen's College, Belfast; Dr. Sullivan, President, Queen's College, Cork; and Dr. Moffett, President, Queen's College, Galway. The Attorney-General, with whom was the Solicitor-General and Mr. G. V. Hart (instructed by the Crown and Treasury Solicitor), appeared on behalf of the Crown. The Attorney-General and Mr. Roche were heard.

Ruled:—

That as regards the Annual Revenue of the College from the Parliamentary Votes it is not within the scope of the Act.

That as regards the Annual Revenue of the College from the Consolidated Fund it is not within the scope of the Act.

That so far as the governing authority of the Queen's College may be vested in her Majesty they are not within the scope of the Act.

That as regards the buildings and other property (if any) appropriated to the purpose of the Queen's College not coming within the foregoing notice be postponed until further order, as although such property is within the scope of the Commission, it does not appear expedient that the powers of the Commission should at present be separately exercised in reference thereto.

In the case of Erasmus Smith's Schools the Attorney-General and Mr. William Anderson, Q.C. (instructed by Messrs. Maunsell and Son, Solicitors), appeared on behalf of the Governors. Mr. J. J. Shaw represented the Presbyterian Committee.

It was ordered:—

That the case be postponed until Saturday, January 16, at 2 o'clock, p.m., unless in the meantime the governors intimate their withdrawal of the claim of exemption.

In the case of St. Peter's Parochial Schools Mr. H. B. Colthurst, B.L. (instructed by Messrs. Maude & Colton, Solicitors), appeared on behalf of the governing body. Rev. Canon Jellett was also present.

Ruled:—

That the Act does apply.

(Dr. Traill dissenting.)

In the case of Wray School, the Rev. Canon Jellett and D. Fillington, Q.C., two of the Trustees appeared for the governing body.

Ruled:—

That the Act does apply.

It was directed that in the several cases following, the governing bodies be communicated with in the terms specified in each case in reference to their claim of exemption.

Castleconnor and Kilglass Schools, County Sligo.

As it appears that persons of various religious denominations are actually attending the schools, the Commission cannot hold them to be exempt from their jurisdiction, and therefore a draft scheme should be lodged within the prescribed time, viz., before January 31. In preparing any scheme regard should be had to the spirit of the founder's intentions as to the constitution of the governing body, and also as to the Protestant character of the school.

Newport Parochial School, County Mayo.

The will not having provided that the trustees should be exclusively of one particular religious denomination, and not having restricted the benefits to members of one particular denomination, the endowment would appear not to be exempt. It would therefore appear that the governing body should lodge a draft scheme within the prescribed time, viz., before January 31.

Tallyvin and Benbawn Endowed School, County Cavan. St. Mary's School, Athlone.

Even assuming the school to be exclusive, the action of the Commissioners of Education will bring the endowment within the operation of the Act, and it therefore will be for the Trustees, by lodging a draft scheme, if so advised, to ensure that its management will be regulated in accordance with the founder's intentions. It will be the duty of the Commission in any case to have regard to these intentions, and the Trustees will have due notice of all proceedings in this matter.

Crilly School, Aghaleo, County Tyrone.

To be asked for a copy of the Chancery scheme regulating this endowment, and to state that even in a case where such a scheme has been obtained, its existence does not oust the jurisdiction of the Commission. If the school be exclusive it is open to the governing body to consent to have any alterations they desire made in the scheme, without altering the exclusive character of the endowment.

Moreville National School, No. 1, County Donegal.

As the school appears to be open to children of all religious denominations, it is not exempt from the jurisdiction of the Commission.

St. Mary's (Shandon) Schools, Cork.

It does not appear that the wills make any provision that the Trustees shall be exclusively members of the Church of Ireland, and that they have no information as to the title of the select vestry to act as governing body of the charity. Under these circumstances a scheme for the management of the charity ought to be settled under the powers of the Act, making due provision for extending the benefits of the endowment only to such children as are described in the wills of the founders.

Thomastown Parochial School, County Kilkenny.

As the benefits of the endowment appears to be open to children of different Protestant denominations, it is not exempt. If a draft scheme should not be lodged the Commission can only say that in the event of their undertaking the preparation of a scheme, due notice shall be given. Such a scheme should provide for the utilisation of all the existing resources of the school, and it would not alienate any of these from their proper purposes.

Green Coat Hospital, Cork.

As the Green Coat School is open to persons of all religious denominations, and the governing body appears to be a mixed one, it is not exempt. It would, therefore, appear desirable that the governing body should lodge a draft scheme within the prescribed time, viz., before January 31. From Dr. Galway's statement, it would seem desirable to reconsider the constitution of the governing body on the settlement of a scheme which should provide for giving effect to the intention of the founder in all respects.

Bishop Foy's Charities, Waterford.

The Commission will not dispose of the question of exemption until they hear again from the governing body, who are to be reminded that draft schemes under Section 30 must be lodged before January 31. If the question of exemption be not decided before that date, the draft scheme may be lodged provisionally.

Aghern and Britway School, County Cork.

As it appears upon the face of the lease to be contemplated that children other than those of the Church of Ireland should attend the schools, the endowment is not exempt from the operation of the Act. In preparing a scheme, however, regard should be had to the founder's intentions as to the constitution of the governing body, and the denomination of the children mainly intended to be benefited. It will be necessary to deal with the constitution of the governing body in consequence of the dissolution of the "minister and churchwardens" as a corporation.

The notices in the cases of Bandon, Lismore, and Youghal Schools were examined, and the Commission were of opinion that the question of exemption was not raised in these notices.

The Commission adjourned.

JOHN NASH.

January 16, 1886.

Wm. Edward Ellis, Secretary.

January 16, 1886.

Meeting of the Commission held this day at their Office, 53, Nassau-street, Dublin.

Present:—Lord Justice FERGUSON, Lord Justice NASH, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

The Secretary was directed to reply to the following letters as indicated in each case:—

Rev. A. Irwin (February 15), as to Crossadul, Tynan, County Armagh.

It would appear that the site of this school constitutes an endowment within the meaning of the Educational Endowments Act, and that it would be important that the governing body of the school in this and such similar cases should assist the Commission in taking the proper steps to have the site and buildings vested in a body properly constituted to preserve them for the purposes to which they are dedicated.

A copy of this letter with copy of Mr. Irwin's letter to be forwarded to the Recorder of Dublin, as representing the Standing Committee of the General Synod, informing him that—

The Commission, having reason to believe that a large number of schools of a denominational character, and also a considerable quantity of property which ought to be available for such schools, are in the position mentioned in Mr. Irwin's letter, desire to call the attention of the Standing Committee to the expediency of making some general provision for the ascertainment of such property and the vesting of it in a body properly constituted for its preservation.

Rev. S. G. Cotton (January 6), as to Beaghstown School.

Whenever the Commission may be able to hold a public inquiry into the Beaghstown School he will receive due notice, and will have an opportunity of presenting his views.

Viscount de Vesel (January 8), as to Ballyroan Endowed School.

When the case of Ballyroan Endowed School comes before the Commissioners, his lordship's letter will be taken into their careful consideration.

Arnold Graves, Esq. (January 11), as to Technical Education.

The best means of promoting Technical Education will form a subject of careful consideration by the Commission, who would be glad to receive practical suggestions on that subject from those interested in it, on the occasion of such of their public inquiries as may involve the question.

Rev. J. W. Hopkins (January 12), as to Ahern, County Cork.

Section 30 of the Irish Church Act applies only to "Ecclesiastical Corporations," of which the "Minister and Churchwardens" were not one.

William Clarke (January 12), as to Ballinacry National School, Sligo.

The subject of his letter will be inquired into when the case of Erasmus Smith's Schools comes before the Commission.

Messrs. L'Estrange and Brett, Solicitors (January 14), as to Belfast Academy.

The Commission have no power to extend the time fixed by the statute, but that any draft scheme lodged on the part of Belfast Academy will be considered in the same way as if the notice had been given, which would have given the governing body the right to have their own draft scheme sent to the Lord Lieutenant with that of the Commission.

Robert McIntosh, Esq. (January 15), as to Drogheda Grammar School.

The views put forward will be taken into consideration when the Commission come to deal with the case of Erasmus Smith's Schools.

Ven. the Archdeacon of Ardfert (January 15), as to claims of County Kerry on Endowments.

(The communication to be acknowledged).

Rev. G. Galbraith (January 18), as to Limavady Emmaus Smith's School.

The endowment not being restricted to persons of one particular religious denomination, and the governing body having been dissolved by the Church Act, would appear not to be exempt from the operation of the Act. If it does not appear that the school has any endowment except what is derived from members of his own church, and that the benefits of the school have substantially been restricted to members of that denomination, it would be open to the governing body by the settlement of a scheme without disturbing the property of the school, to have its property preserved and vested in a properly constituted body.

The Secretary was directed to write to the Trustees of Joseph Young's Charity (1854 Report, Vol. III., p. 622), requesting them to furnish particulars of the trust fund and property left by the will, the securities in which they are invested, and the names of the present Trustees, also to ask for a list of the legatees under the will, shewing which of them are still living, and the dates of the deaths of those who have died, and a statement of what has been done with the accumulations.

The Secretary was directed to inform governing bodies engaged in the preparation of draft schemes, that in the preparation of each scheme a schedule should be annexed giving full particulars of all property which is to be vested under the scheme in the same shape, in the case of landed property in which these particulars are given in final notices to tenants in the Court of the Land Judges, also to set opposite each item of property, whether landed or money, the source from which it was originally derived.

The Commission adjourned.

JOHN NASH.

January 23, 1886.

Wm. Edward Ellis, Secretary.

January 20, 1886.

Stated attendance of the Commissioners this day at their Office, 23, Nassau street, Dublin.

Present:—Lord Justice FITZGERSON, Lord Justice NASH.

Letter (January 18) read from Rev. J. J. Egan, as to Derrylane Parochial School.

To be informed that the site of the school-house and the other revenue attached to it would constitute an endowment within the meaning of the Act.

JOHN NASH.

January 23, 1886.

Wm. Edward Ellis, Secretary.

January 23, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice NAISH, Dr. TRAILL, Professor DOUGHERTY.

Minutes of previous meeting and of the subsequent stated attendance read and confirmed.

Letter (January 16) read from J. H. Bernard, Esq., F.R.C.D., asking on behalf of the Standing Committee of the General Synod, whether the Intermediate Education Fund is included in the ruling as to the Queen's Colleges, and whether it is, therefore, exempt.

To be informed that the case of the Intermediate Education Board was not before the Commission, and is not included in the ruling referred to, which was confined to the case of the Queen's Colleges, and that the case not having been before the Commissioners, they are not in a position at present to express any opinion as to whether it is exempt or not from their jurisdiction.

Letter (January 20) read from T. B. Montgomery, Esq., stating that the governing body of Foy's College consider their case as identical with that of the Queen's Colleges.

To be informed that the ruling in the case of the Queen's Colleges was confined to these institutions, and does not include the case of the Foy's College.

Letter (January 23) read from Rev. D. H. Fowell, asking whether a scheme will be received from him as rector of St. Mary's, Shandon, or from him and the churchwardens of the parish in reference to St. Mary's Schools, Shandon.

To be informed that the Commission have not sufficient information before them as to who are the present governing body of the school, and that they will receive and consider any scheme which he may send in.

Letter (January 22) read from Messrs. John and Joseph Cooke, Executors and Trustees of the Young Charity, replying to the Minute of January 16.

To be informed that it will be the duty of the Commission to frame a scheme for the management of this charity, and that their attention be directed to section 12 of the Act as to buildings, &c.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

February 6, 1886.

February 6, 1886.

Meeting of the Commission held this day, at their Office, 23 Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letter (January 25) read from Mr. Wm. Taylor, Master of Mountstewart School, Grey Abbey, Co. Down, as to his vested interests under the Act.

To be informed that the Act contains a provision for the protection of vested interests, but they are not in a position to give him any opinion on the subject until the school is being inquired into.

Letter (January 26) read from Rev. A. T. Kirkpatrick, as to Craig's Parochial National School.

To be informed that he should ascertain from the Representative Body whether they would be willing to accept the trust proposed in his letter in the event of the Commission finding themselves at liberty to treat the school as a denominational one.

Letter (January 26) read from T. B. Montgomery, Esq., asking that the governing body of Foy's College be afforded an opportunity of arguing the question of exemption.

To be informed that the Commission will consult the convenience of the governors by having the question of exemption argued separately in Dublin in the first instance if they so desire, otherwise it will be considered at the local inquiry in Lonsdown, of which the governors shall have due notice.

Letter (January 29) read from Rev. George Galbraith, as to Linsavady Examine Smith's School.

To be informed that the Commission must satisfy themselves on inquiry as to how the property belonging to the school is now vested. If it should appear that the school was a denominational school, it would be the duty of the Commission by their scheme to secure the application of the endowment to its proper objects.

Letter (February 9) read from the Commissioners of Charitable Donations and Bequests as to Templemoyle School, Londonderry.

To be informed that as the endowment would appear to be within the scope of this Commission it would be desirable that the expense of proceedings in Chancery should not be undertaken as the settlement of a scheme by this Commission would result in the utilization of the endowment, also that this Commission would be most anxious to have the views of the Commissioners of Charitable Donations and Bequests with respect to the provisions of such a scheme, and will give them notice whenever they come to deal with the case.

Letter (February 5) read from the Commissioners of Charitable Donations and Bequests as to Castlereagh School.

To be informed that this endowment is one with which they are prepared to deal by the settlement of a scheme for the future management of it. The recovery of the endowment or any part of it, which may not be at present in their hands, would appear to be a matter to be attended to by them, as this Commission has not the same powers of realizing endowments.

It was ordered :—

That the following letter be sent to the different bodies represented at the recent proceedings before the Vice-Chancellor as to the Cusheen Municipal Bequest :—

The attention of this Commission having been called to the Cusheen Bequest, it would appear to be within the scope of the Commission, and, therefore, by the exercise of its powers, statutory provision could be made for the management of the endowment. To request that the Commission be informed of the present position of the endowment with a view to their holding an inquiry, and pending a reply, the Commission suggest that those having the management of the fund should not incur expense in legal proceedings which may not prove to be necessary or expedient.

The Commission adjourned.

GERALD FITZGERSON,

February 20, 1886.

Wm. Edward Ellis, Secretary.

February 8, 1886.

Meeting of the Commission held this day at their Offices, 25, Nassau-street, Dublin.

Present :—Lord Justice FITZGERSON, Lord Justice NAISH, Dr. TRAILL, Professor DOUGHERTY.

The secretary submitted the draft schemes lodged by governing bodies, under section 20 of the Act, for the future government and management of the several educational endowments as mentioned in the list on page vi.

It was resolved :—

(1.) That the draft schemes lodged by the Commissioners of Education should be first taken into consideration at public sittings to commence on Monday, March 1, to be held at the offices of the Commission, on which occasion the constitution of the Commissioners and the general administration of the endowment will be considered, reserving, as far as possible, the discussion of local questions to be considered at future sittings, to be held at a convenient place in the neighbourhood of the schools.

(2.) That the draft scheme lodged by the governing body of Swords Borough Schools should be taken into consideration on Thursday, 4th March, at a public sitting.

(3.) That after these the other schemes lodged should be taken into consideration in an order to be hereafter arranged.

The Secretary was directed to prepare notices and advertisements of these sittings, to be approved at the next meeting.

The Secretary was directed to apply for Treasury authority for printing the draft schemes lodged by the governing bodies under Section 20 of the Act, and for advertising the sittings of the Commission, publication of schemes, &c.

The Commission adjourned.

GERALD FITZGERSON.

February 20, 1886.

Wm. Edward Ellis, Secretary.

February 13, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Dr. TRAILL.

The following arrangements were made for preliminary public inquiries to be held at the offices:—

On Monday, March 1, at eleven o'clock, A.M.

1. Commissioners of Education:—

Altering their constitution and re-organizing Royal and Diocesan Schools.

2. Commissioners of Education:—

Grammar Schools of private foundation.

3. Commissioners of Education:—

Primary Schools.

At Swords Borough School, on Thursday, March 4, at eleven o'clock, A.M., and by adjournment at the office on Friday, March 5, at eleven o'clock, A.M.

4. Swords Borough Schools.

On Monday, March 6, at eleven o'clock, A.M.

5. Incorporated Society for Promoting English Protestant Schools in Ireland.

On Thursday, March 11, at eleven o'clock, A.M.

6. Erasmus Smith's Schools.

The Commission directed that notice of these sittings should be published, in pursuance of Section 30 of the Act, by sending written notice of same to the respective governing bodies and to the representatives of the following religious denominations:—

Church of Ireland:—

Representative Church Body.

Standing Committee General Synod.

Roman Catholic Church:—

Chairman of Episcopal Committee (Archbishop of Dublin).

Schoolmasters' Association (Rev. J. E. Reilly, Secretary).

Presbyterian Church in Ireland:—

Intermediate Education Committee of the General Assembly (Rev. W. Todd Martin, M.A., and Rev. J. M. Hamilton).

Methodist Body:—

The Conference.

Schoolmasters' Association (Dr. Biggs, Hon. Sec.)

And also by inserting an advertisement in the Dublin newspapers.

The Secretary was directed to inform the Commissioners of Education that this Commission will hold a public inquiry, commencing on Monday, March 1, 1886, at eleven o'clock, A.M., at the offices, 23, Nassau-street, and to be continued by adjournment, as may be found necessary, for the purpose of considering the draft schemes submitted by them, and of preparing such further or other draft scheme or schemes for the future management of the endowments vested in or controlled by the Commissioners of Education, or for the efficient exercise of the powers of the Commissioners as this Commission may think fit. The draft schemes lodged will be taken in order. These inquiries will be conducted in accordance with the resolutions of October 9 and 16, 1885, and such representatives of the several religious denominations as may wish to appear before the Commission, will, on the occasion of the inquiry into Scheme (1) of the Commissioners of Education, be afforded an opportunity of presenting their views as regards their claims upon the endowments of public origin available for Intermediate Education, and the manner in which these endowments may be best applied.

The Secretary was directed to inform the governing bodies of:—

Swords Borough Schools,

Incorporated Society,

Erasmus Smith's Schools,

That in the event of other business of the Commission remaining unfinished from a previous day the Commission may adjourn the sitting fixed for their respective endowments, and that the earliest possible notice of such adjournment will be given them.

The Commission adjourned.

GERALD FITZGERSON.

February 20, 1886.

Wm. Edward Ellis, Secretary.

February 20, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

Letters read:—

R. H. Power, Esq. (February 6), as to Bandon, Youghal, and Limerick Endowed Schools.
 Rev. D. H. Powell (February 5), as to St. Mary's Schools, Shandon, Cork.
 Messrs. Hone and Falkner, Solicitors (February 10), as to Unitarian Schools, Stephen's-green, Dublin.
 James Pyper, Esq. (February 10), as to Belfast Academy and Belfast Mercantile Academy.
 Messrs. H. T. Dix and Son, Solicitors (February 10), as to Incorporated Society.
 Rev. Henry Irwin (February 11), as to Training School, Newtownsmilkenny.
 The Lord Bishop of Limerick (February 13), as to the Records of the Endowed Schools Commission of 1863.
 Rev. J. W. McKay, B.D. (February 16), as to Methodist College, Belfast.
 Rev. George Gallmish (February 10), as to Protestant School's School, Linnavady.
 Messrs. Connelley, Soan, and Tolson, Solicitors (February 18), as to Methodist Female Orphan House.
 George Gardiner (February 18).
 Commissioners of Education (February 18).

Letter (February 8) read from Messrs. J. and J. Cooke, Trustees of Young's Charity, Londonderry.

To be informed that though the Commission has no power to dispense with the provisions of the Act the draft scheme lodged by them will receive full consideration, and will be in the same position in all respects as if it had been lodged under notice, except as regards the right of having it sent to the Lord Lieutenant in Council with the scheme of the Commission.

The following letters were read with regard to the Coulson Musical Bequest, and the replies specified in each case were ordered to be sent:—

F. Maxwell, Solicitor, Commissioners of Charitable Donations and Bequests (February 9).

(No reply).

Sir Francis Brady, Bart., G.C., Hon. Sec. Royal Irish Academy of Music (February 16).

To be informed that upon the statements contained in his letter it appears to the Commissioners to be their duty to hold an inquiry as to framing a Scheme for the future management of the Coulson Bequest, and also upon that inquiry to consider the expediency in your letter of establishing a single school of music in Ireland. This object could be attained through the powers of this Commission by amalgamating the Coulson endowment with those of the Royal Irish Academy of Music, or otherwise dealing with its funds in pursuance of the powers of the Act, which would enable the Commissioners to constitute a governing body of such a character as to secure due administration of all the funds devoted to this object. As in this and other respects, the powers of the Commission are much more extensive than those of the Chancery Division of the High Court of Justice, and as in any case a Scheme settled by the Court might be liable to review by this Commission, I am directed to repeat the suggestion that further expense should not be incurred in litigation pending the holding of the proposed inquiry. Should any such expense be incurred it must be regarded as subject to the provisions of any Scheme made under the Act. The Commissioners hope within the next fortnight to be able to fix a day for the inquiry, of which all parties interested will have due notice.

Joseph Smith, M.P. (February 9), representing Dublin musical profession.

Send copy of correspondence with Sir F. Brady, and inform him that upon the proposed inquiry the Commission would be prepared to bear the representatives of the Dublin musical profession as well upon the Scheme for the management of the Coulson Bequest as upon the constitution of a governing body to control a single school of music for Ireland, also that it would be within the powers of this Commission to form such a body by re-constituting the Royal Irish Academy of Music upon the amalgamation of the endowments available for musical education.

Messrs. S. and E. C. Walker, Solicitors to the Trustees of the Coulson Bequest (February 11).

Send copy of correspondence with Sir Francis Brady and the Commissioners of Charitable Donations and Bequests.

A copy of the correspondence to be also sent to the Law Agent to Dublin Corporation.

Commissioners of Charitable Donations and Bequests (February 12).

Send copy of correspondence with Sir Francis Brady and invite their attention thereto, and add that no application to stay proceedings in the court would appear to be in any way necessary, and as a scheme settled under the Act by the Commission would override any scheme settled by the Court, the continuance of litigation pending the inquiry would seem likely to result only in useless expenditure. The Commission would be glad, on the occasion of the proposed inquiry, to receive any suggestions from the Commissioners of Charitable Donations and Bequests as to the proposal for amalgamation of the Academy of Music with the Coulson Endowment, an object, the expediency of which could not be considered in Chancery.

Letters (February 18) read from Rev. F. H. Ringwood, M.A., and Rev. W. Moore Morgan, LL.D., Head Masters of Royal Schools at Dungannon and Armagh, as to their vested interests.

To be informed that making provision for vested rights is one of the subjects which it will be the duty of the Commission to consider under Section 11 of the Act. The subject is dealt with in the Scheme which will be considered by them at the sitting fixed for the 1st of March. If any particular

time would be specially convenient to the Head Masters for the consideration of this subject, it will be fixed on their application. At this early stage of the inquiry the Commission do not see that the employment of counsel would be necessary, but must leave each party to act as they may be advised on that subject, when the Commissioners' own draft scheme has been prepared. The Act provides for making formal objections, upon which counsel could, if necessary, appear.

To add to Dr. Morgan's letter that the Commission will be prepared to hear the Head Masters, as persons interested, upon any branch of the inquiry.

Letter (February 10) read from Rev. J. MacNeice to Dr. Traill, as to Drelinacourt School, Armagh. To be informed that when the Commission come to inquire into the above-named endowment an opportunity will be afforded to him of stating his views.

Letter (February 18) read from Robert Adams, Esq., as to Prior Endowed School, Lifford. To be informed that pending the settlement of a draft scheme the business of the school should proceed as usual.

Letter (February 18) read from G. C. Davenport, Esq.

To be informed that the subject of Mr. Murphy's report is not one with which this Commission has anything practical to do, as it appears only to refer to the rental of a portion of an estate inspected by Mr. Murphy for the Commission of 1880.

The Secretary was directed to write to the Commissioners of Education asking them to furnish, if possible, before the inquiry on March 1, the following returns, &c.:-

- I. Number of *Meetings held and attendance of each Commissioner, 1881-1885 inclusive.
- II. Statement of the *expenses of the present staff of the Commission, with an estimate of the staff they consider would be necessary under the proposed draft scheme.
- III. Number of members of the *different religious denominations attending the several schools, with as accurate a statement as possible as to how many of those pupils, day scholars or boarders, are from the neighbourhood of the school in each case.
- IV. *Statement of accounts for 1885.
- V. Particulars as to the *masters and other officers who appear to have vested interests in each school, or otherwise, under the Commissioners.
- VI. The *fees payable by the pupils—day scholars and boarders—in the several schools; how many free pupils, and how many at reduced fees.
- VII. Expenditure on *exhibitions, 1881-1885 inclusive, specifying the number attached to each school.
- VIII. Information as to the mode in which the present powers of *visitation and *inspection have been exercised within the past five years.
- IX. Report from the *Architect as regards the school buildings and their condition.
- X. *Statement as to the present connexion of the Commissioners with the Diocesan Schools at Monaghan and Limerick.

And to state that this Commission would be glad to receive at the inquiry from their Secretary, or each of the Commissioners as might desire to give it, information as to such alterations in the constitution of their Board as would enable them most efficiently to manage the property belonging to the various schools now under their control, and also enable them to act generally in the realisation of any endowment which it may appear advisable to realize to be administered along with public endowments either for denominational or mixed schools.

With reference to Swords Borough Schools, the Secretary was directed to inform the governing body that the Commission desire to find the Borough Schools in full operation with full attendance of the teachers. After inspecting the schools the Commissioners propose to hear any evidence which it may be desired to give upon the spot, and would be obliged if there could be provided in the Borough School a room in which the Commissioners can sit for the purpose. At the adjourned sitting on the following day at their offices, the general provisions of the draft scheme of the governors will be considered, and any further evidence received which it will not be more convenient to give at Swords. The Commissioners would desire that the deputy superintendent, or some other officer to represent the governing body, should be prepared to supply any information asked as to the management of the endowment during the last five years. The Commissioners would be obliged if, before the inquiry, particulars were supplied of all vested interests which appear to come within section 11 of the Act.

Rev. D. P. Mulkahy to be informed of the above-mentioned arrangements, and that the Commission desire to find the National Schools also in full operation, with a full attendance of teachers.

The Commission adjourned.

GERALD FITZGERDON.

February 27, 1886.

Wm. Edward Ellis, Secretary.

* See Appendix B. *infra*, Nos. V. (a) to V. (p.), pp. 386 to 413.

February 27, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of preceding meeting read and confirmed.

Letters read—

Rev. F. H. Ringwood, M.D. (February 23), as to the life interests of Royal Schoolmasters.
 Rev. T. Twigg (February 23), enclosing list of salaried officials of Swords Borough Schools.
 Under-Secretary, Dublin Castle (February 24), enclosing Treasury letter authorizing printing of draft schemes, and requesting all letters for the Treasury to be sent through the Irish Government.
 Commissioners of Charitable Donations and Bequests (February 25), as to Conleón Bequest.
 Rev. W. Moore Morgan, M.D., F. H. Ringwood, M.D., and W. Steele, M.D. (February 26), as to the life interests of the Headmasters of Royal Schools.
 Commissioners of Education (February 26).
 Rev. W. Moore Morgan, M.D. (February 26), as to the Royal School scheme.
 Commissioners of Education (February 26 and February 27), enclosing returns asked for at the last meeting.

Letter (February 22) read from the Rev. W. Prior Moore, Cavan Royal School, as to his life interests.

To be informed that the more convenient time for considering his claim is when the Commission are dealing with the individual vested interests, and that they will receive any further statement in writing as to his claim that he may think fit to send in.

Letter (February 22) read from the Rev. F. A. Sanders, as to Tullyvin Endowed School, Co. Cavan.

To be informed that the Commission will hear the Trustees when they come to consider the scheme of the Commissioners of Education dealing with the endowment, which they hope to do on Wednesday next. If not convenient to the Trustees to make their full case then, or if they should desire to make any further communication they will have the opportunity when their own draft scheme comes to be considered, or if they so desire, it will be taken into consideration on Wednesday with that of the Commissioners of Education.

Letter (February 25) read from Rev. D. P. Mulcahy, Swords, as to Swords Borough Schools.

To be informed that the Commissioners intend to take at Swords such evidence only as cannot conveniently be given in Dublin, and have arranged to take it at the Borough Schools as being the property of the endowment, if for any special reason he desires to give evidence at the National Schools the Commission will be visiting it and will consult his convenience, but they cannot take any evidence except at a place at which all parties interested can be present. They, therefore, think that all the evidence should be taken at the same place, and would suggest that for the convenience of the Commission and the public it would be desirable to take all the evidence at the Borough Schools.

The Commission fixed the following sittings to be held at the offices:—

On Monday, 15th March, eleven o'clock, A.M.

Church of Ireland Training College, Kildare-place Society. Joint Scheme.
 Claremont National Institution for the Education of the Deaf and Dumb.

On Tuesday, 16th March, eleven o'clock, A.M.

Royal Irish Academy of Music.
 Conleón Bequest.

On Wednesday, 17th March, eleven o'clock, A.M.

Alexandra College and Alexandra School. Joint Scheme.

On Thursday, 18th March, eleven o'clock, A.M.

St. Peter's Parochial School and Wray School. Joint Scheme.
 Ralph Macklin Schools.

On Friday, 19th March, eleven o'clock, A.M.

Love's Charity.
 Knight's School.

On Monday, 22nd March, eleven o'clock, A.M.

Hibernian Marine Society.

On Tuesday, 23rd March, eleven o'clock, A.M.

Drummond Institution, Chapelised.

On Wednesday, 24th March, eleven o'clock, A.M.

Morgan's School, Oastholmeok.
Mercer's School Oastholmeok.

On Thursday, 25th March, eleven o'clock, A.M.

Unitarian Schools, Stephen's-green, Dublin.

In the case of the Coalson Bequest the Secretary was directed to give notice to the several parties represented at the proceedings in Chancery, adding to each notice that the parties are required to produce at the hearing all documents in their possession relating to the endowment.

Instructions were given to Secretary as to the sitting at Swords on March 4, to provide vehicles, luncheon, &c.

The Commission adjourned.

GERALD FITZGERSON.

March 8, 1886.

Wm. Edward Ellis, Secretary.

March 1, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. A. Shortt, shorthand writer, was in attendance.

On the consideration of draft scheme* (1) of the Commissioners of Education.

The Commissioners were represented by Mr. James Orr, Q.C. (instructed by Mr. Archibald Robinson, Solicitor). Earl Belmore, a Commissioner, and Robert McDowell, Secretary, were also in attendance.

"The Standing Endowments Committee of the General Synod of the Church of Ireland" was represented by the Recorder of Dublin, the Archbishop of Dublin, and Mr. W. G. Brooks.

"The Intermediate Education Committee of the General Assembly of the Presbyterian Church," by Rev W. Todd Martin, LL.D., Rev. J. M. Hamilton, and Mr. J. J. Shaw, B.L. (instructed by Mr. James Henry, Solicitor).

The Wesleyan Body were represented by Dr. Webb, Q.C. (instructed by Messrs. Cronheim, Scott, and Tobias, Solicitors).

The Recorder of Dublin made a statement.

The following witnesses were sworn and examined:—

Robert McDowell, Esq., Secretary.
Earl Belmore, K.O.M.G.

The Commission adjourned.

GERALD FITZGERSON.

March 8, 1886.

Wm. Edward Ellis, Secretary.

March 3, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the two preceding meetings read and confirmed.

Mr. A. Shortt, shorthand writer, was in attendance.

The consideration of the scheme* (1) lodged by the Commissioners of Education was resumed, the several religious bodies being represented as on March 1.

Mr. J. J. Shaw, B.L., and Dr. Webb, Q.C., made statements.

*See Appendix B, No. V. (6), p. 493.

The following witnesses were sworn and examined :—

Rev. William Todd Martin, D.D.

Rev. Professor Litch, D.D.

Earl Belmore was re-examined.

Letter (March 3) read from Rev. J. E. Reiff, Hon. Sec., Standing Committee of Roman Catholic Head Masters, asking that Members of the Commission should be permitted to give evidence on 4th or 5th inst.

To be informed that the Commission will be prepared to hear such of the members of the Standing Committee of Roman Catholic Head Masters as may attend to give evidence in reference to Public School endowments for higher education on March 5, at 11 o'clock, A.M.

A subsequent letter (March 3) read from Rev. J. E. Reiff, as to whether an investigation into the administration of the endowments of the Intermediate Education Board comes within the scope of the Commission.

To be informed that the Commission have not yet considered whether the endowments of the Intermediate Education Board come within the scope of the Commission, but, if at any time they should propose to inquire into the administration of these endowments due notice will be given, and that the Commission do not think it desirable to receive evidence regarding them upon the inquiry into the schemes lodged by the Commissioners of Education.

The Commission adjourned.

GERALD FITZGIBSON.

March 6, 1886.

Wm. Edward Ellis, Secretary.

March 4, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at Swords Borough Schools, County Dublin.

Present :—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

[Before the sitting the Commissioners inspected the Male, Female, and Infant Departments of the Borough Schools, and also the Male and Female (including the Infant) Departments of the National Schools, Swords, managed by the Rev. D. P. Mulohy, Parish Priest of Swords.]

The following witnesses were sworn and examined :—

Rev. Thomas Twigg, M.A., Superintendent of the Borough Schools.

Rev. W. G. Byron, M.A., Deputy Superintendent.

Rev. D. P. Mulohy, F.R., Manager of the National Schools.

Mr. Denis Holland, Principal Teacher, Male Department, National Schools.

Miss Catherine Ahern, Principal Teacher, Female Department, National Schools.

Mr. John Coleman, Assistant, Male Department, National Schools.

Mr. Valentine Meyers, Principal Teacher, Male Department, Borough Schools.

Miss Louisa Fallon, Principal Teacher, Female Department, Borough Schools.

Robert W. Griffin, A.L.D., Examiner, Borough Schools.

The Commissioners announced that the further consideration of the "scheme submitted by the Governors of the Borough Schools would be taken up—not on the 5th instant as previously arranged—but on a future date of which due notice would be given.

The Commission adjourned.

GERALD FITZGIBSON.

March 6, 1886.

Wm. Edward Ellis, Secretary.

March 5, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present :—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. A. Shortt, shorthand writer, was in attendance.

The consideration of the scheme lodged by the Commissioners of Education was resumed, the several religious bodies being represented as on March 1. There attended the following members of the Standing Committee of Roman Catholic Head Masters :—Very Rev. William Delany, D.D., S.A.;

* See Appendix B, No. VI (2), p. 420.

Very Rev. William Hutch, D.D.; Very Rev. H. Henry, D.D.; Very Rev. P. Kilkenny, D.D.; Very Rev. J. Bartley, O.C.D.; Very Rev. P. McGlone; Very Rev. David O'Leary; Rev. R. Bodkin, C.M., Hon. Sec.

Earl Belmore, K.C.M.G., was re-examined.

The following witnesses were sworn and examined:—

Rev. Wallace McMullen.
 Very Rev. William Delany, D.D., S.J.
 Very Rev. William Hutch, D.D.
 Very Rev. H. Henry, D.D.
 Very Rev. P. Kilkenny, D.D.

Very Rev. the Dean of the Chapel Royal made a statement.

With reference to the case of Tullyvin and Bonhawn Schools, included in scheme (3) of the Commissioners of Education, Mr. G. V. Hart, B.L. (instructed by George M. McGinty, Solicitor), appeared for the local trustees, who contend that the endowment is exempt from the jurisdiction of the Commission.

Mr. Robert McDowell, Secretary to the Commissioners of Education, was re-examined.

The Rev. F. A. Sanders, one of the local trustees, was sworn and examined.

It was ruled:—

That the endowment was not exempt, but being of private origin should not be included in the same scheme with the public endowment of Caryfort, and announced that a local inquiry would be held in reference to this endowment, of which due notice will be given.

PRIVATE MEETING.

Letter (March 4) read from J. W. Ravanagh, Esq., asking to be heard in reference to the Royal Schools, &c.

To be informed that the Commission will hear those only who are either personally interested in the endowments, or are authorised to represent the governing bodies, or some of the several religious and other bodies interested in the administration of the public endowments available for Intermediate Education.

Letter (March 5) read from A. Robinson, jun., as to Drummond Institution.

To be informed that it will be open to the governing body of the Institution, upon the approaching inquiry, to contend, in the first instance, that the Institution is not within the scope of the Act.

The Commission adjourned.

GERALD FITZGIBSON.

March 6, 1886.

Wm. Edward Ellis, Secretary.

March 6, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

Letters read:—

C. Graham, Esq. (March 2), as to the Royal Schools.
 Robert Adams, Esq. (March 1), as to the Prior Endowed School, Lifford.
 Thomas Grane, Esq., Secretary, Representative Church Body (March 3) to Dr. Traill, as to Church of Ireland Training College.
 Commissioners of Charitable Donations and Bequests (March 4), as to Coulson Bequest.
 Very Rev. the Dean of the Chapel Royal (February 27), as to Ralph Masklin School.

Letter read from A. A. Burd, Esq., as to Middleton College.

To be considered when the case of Middleton College is taken up.

Letter (February 27) read from Robert Davis, Esq., as to Portora Royal School.

To be informed that the matter referred to can be brought under the notice of the Commission at the local inquiry, of which due notice will be given.

Letter (February 27) from Dr. F. J. Davys, as to his vested interests as Medical Officer, Swords Borough School.

To be carefully considered when the Commissioners proceed to the preparation of a scheme for the Swords Borough Schools.

Letter (March 2) read from the Dean of Elphin, as to Bishop Hodson's Grammar School.
To be informed that the Commission have not yet reached this case.

Letter (March 4) read from Miss Alice Oldham, Secretary, Schoolmistresses' Association, enclosing a memorial, and asking to be heard as to the claims upon the endowments for the education of girls.

To be informed that the inquiry into the scheme lodged by the governing body of Alexandra College is fixed for March 17, and that on that occasion the Commission would be prepared to hear representatives of the Association on the general question of the education of girls.

Letter (March 5) read from James Elliott, Esq., Chairman, Town Commissioners of Omagh, as to the claims of that town.

To be informed that, on the occasion of a local inquiry at Dungannon or Enniskillen, an opportunity will be given to the inhabitants of Omagh to put forward their claims.

Letter (March 5) read from Rev. D. O'Leary, as to Portora Royal School.

To be informed that the Commission will be prepared to receive the views of the deputation referred to at the local inquiry to be held in Enniskillen.

The Secretary was directed to ask the authorities of Swords Borough School for a "return as to the infant school, from the report book, same as already supplied as to the "male and female schools for the four quarters of 1885.

The Commission adjourned.

GERALD FITZGERSON.

March 12, 1886.

Wm. Edward Ellis, Secretary.

March 8, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Offices, 25, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, shorthand writer, was in attendance.

On the consideration of the scheme lodged by the Incorporated Society, the Society was represented by Mr. E. T. Bowley, q.c. (instructed by Messrs. H. T. Dix and Son, Solicitors.)

The Recorder of Dublin represented "The Standing Committee of the General Synod of the Church of Ireland."

Mr. James Henry, Solicitor, represented "The Intermediate Education Committee of the General Assembly of the Presbyterian Church."

Mr. E. T. Bowley, q.c., made a statement.

The following witnesses were sworn and examined:—

Joseph Vaughan, Assistant Agent.
Wellesley P. Chapman, Registrar.
Henry T. Dix, Solicitor.
Rev. J. W. Hackitt, M.A., Secretary.
Rev. J. W. Stubbs, B.D., S.T.C.D., a member.
W. J. McClelland, M.A., Head Master, Sentry School.

Letter (March 6) read from Dr. Maguire, S.T.C.D., asking to be heard as to certain evidence given before the Commission.

Same reply as to J. W. Kavanagh, Esq. (March 5), adding that, if he will specify the particular evidence with reference to which he desires to make a statement, his farther letter will be submitted to the Commission.

Letter (March 7) read from Mr. Thomas Laffan, Chairman, Town Commissioners of Cashel.

To be informed that the Commission will be glad to receive from him any written statement, and that in case his representations should turn out to be evidence, the Commissioners would give him an opportunity of being heard.

The Commission adjourned.

GERALD FITZGERSON.

March 12, 1886.

Wm. Edward Ellis, Secretary.

* See Appendix B, No. VI (f), p. 418.

March 11, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, shorthand writer, was in attendance.

On the consideration of the scheme lodged by the Governors of Erasmus Smith's Schools the Governors were represented by Mr. W. Anderson, Q.C., and Mr. E. R. L. Mansell, (instructed by Messrs. Mansell and Son, Solicitors), also present the Vice-Chancellor of Ireland, Rev. Canon Greene, and C. Peussfather, Esq., Q.C., Governors.

J. H. Bernard, Esq., F.T.C.D., represented "The Standing Committee of the General Synod of the Church of Ireland."

Mr. J. J. Shaw (instructed by Mr. James Henry, Solicitor), represented "The Intermediate Education Committee of the General Assembly of the Presbyterian Church."

Mr. Anderson, Q.C., made a statement.

The following witness was sworn and examined:—

The Right Hon. H. E. Chatterton, Vice-Chancellor of Ireland.

It was arranged that the following adjourned sittings should be held at the office:—

On Friday, March 25, eleven o'clock, A.M.

Swords Borough Schools.

On Monday, March 29, eleven o'clock, A.M.

Incorporated Society.

On Friday, April 2, eleven o'clock, A.M.

Erasmus Smith's Schools.

Letter (March 9) read from Messrs. V. Dillon and Son, Solicitors, asking, on behalf of the Standing Committee of Roman Catholic Head Masters, for an opportunity, at an adjourned sitting, of putting forward their views as to the Incorporated Society and Erasmus Smith's Schools.

To be informed that all persons interested can obtain copy of the evidence with regard to the Incorporated Society and Erasmus Smith's Schools, and that a future day will be fixed to suit the convenience of all parties who desire to put forward their views with regard to these endowments.

The Commission adjourned.

GERALD FITZGERBON,

Wm. Edward Ellis, Secretary.

March 13, 1886.

March 13, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

Letters read:—

T. Dolan, Town Clerk, Ardee (March 9), as to an annual payment made by the Town Commissioners to Erasmus Smith's Schools.

Rev. Canon Twigg (March 11) as to Swords Borough Schools, stating that the date fixed for ad-
Rev. D. P. Malenky (March 12) } journd sitting suits them.

J. H. Bernard, Esq., F.T.C.D. (March 13), enclosing a printed memorandum of the views of the Standing Committee of the General Synod as to the Royal Schools, &c.

Very Rev. the Dean of Elphin (March 12), as to Bishop Hodson's Grammar School.

Joseph Smith, Esq., Mus. D. (March 10), as to Coulson Bequest.

Letter (March 8) read from A. W. Birmingham, Esq., as to the Incorporated Society's Estates.

To be informed that his rights as between himself and the Incorporated Society do not come within the scope of this Commission; but at the inquiry the Commissioners will take an opportunity of making a question on the subject.

Letter (March 5) read from J. C. Culwick, Esq., as to Coulson Bequest.

To be informed that his letter appears to have been written under some misapprehension, that the Commission have not as yet taken any evidence as to the Royal Irish Academy of Music and Coulson Bequest, and that on the inquiry fixed for Tuesday, March 16, they will be glad to receive information from any party having an interest in any of the endowments; also to invite him as a member of the Committee appointed by the Musical Profession in reference to the Coulson Bequest. The Commission not being aware who are now the representatives of the Committee will be obliged if he will communicate with the proper parties.

Letter (March 9) read from the Dean of Elphin, as to Bishop Hedson's Grammar School.

To be informed that his convenience will be consulted in any arrangement for considering the case, and that the inquiry is not likely to be held before his return.

Letter (March 9) read from Messrs. Carson and McDowell, Solicitors, as to Ulster Society for the Deaf and Dumb and Blind.

Letter (March 10) also read from Viscount De Vessi, as to Ballyrean Endowed School.

Each to be informed that no date has as yet been fixed for the consideration of this case, and that having regard to the state of their business, the Commissioners cannot say when they are likely to take it up.

Letter (March 10) read from Miss Alice Oldham, Secretary, Schoolmistresses' Associations, and Mrs. Byers, Ladies' Collegiate School, Belfast.

Each to be informed that if she attends on the day fixed for the case of Alexandra College—Wednesday, March 17—an arrangement can be made as to holding an adjourned sitting at which the views of the Schoolmistresses Associations which she represents can be presented, either with reference to Alexandra College, or independently.

Letter (March 11) read from Miss J. E. Whately, Rochelle Seminary, Cork.

To be furnished with a copy of letter to Miss Oldham (above), and to be informed that the Commission would suggest that the views which she proposes to submit through a deputation should be furnished in writing beforehand.

Letter (March 10) read from Thomas Laffan, Esq., submitting a statement of the views he proposes to bring forward in evidence.

Letter (March 12) read from T. Maguire, Esq., LL.D., F.R.C.D.

Each to be informed that the inquiry into the Royal Schools stands adjourned for the present; when it is resumed the Commission would be glad to hear the views of representatives of the Roman Catholic laity, if in the meantime he finds that he can come forward in a representative capacity the Commissioners will hear him.

Letter (March 10) read from R. W. Gamble, Esq., as to Kildare-place Society.

To be informed that as the hearing of the case will take place on the 15th instant, it will suit the arrangements which he mentions.

Letter (March 11) read from Rev. J. J. Sherrard, and (March 6) from Mr. John Wright of Parsonstown, as to Banagher Royal School.

To be informed that the views therein stated can be submitted on the occasion of the local inquiry into the case of Banagher Royal School.

Letter (March 11) read from Rev. S. Paul, Omagh, as to the claims of his School.

To be informed that the views therein referred to can be submitted on the occasion of the local inquiry to be held at Dungannon and Enniskillen.

The Commission adjourned,

GERALD FITZGIBSON.

Wm. Edward Ellis, Secretary.

March 19, 1886.

March 15, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. Traill, Professor DOUGHERTY.

Mr. Johnston, shorthand writer, was in attendance.

On the hearing of the draft scheme* lodged by the governing bodies of Kildare-place Society and Church of Ireland Training College, jointly. The Training College was represented by the Lord Archbishop of Dublin, the Recorder of Dublin, the Archdeacon of Dublin, Mr. W. G. Brooke, the Dean of the Chapel Royal.

Kildare-place Society was represented by Mr. C. H. Keene, Registrar.

The following witnesses were sworn and examined:—

C. H. Keene, Esq.

The Recorder of Dublin.

The Dean of the Chapel Royal.

The Archbishop of Dublin and Mr. J. H. Nunn made statements.

The case of Clarendon Institution was adjourned to the following day.

The Commission adjourned.

GERALD FITZGIBSON.

Wm. Edward Ellis, Secretary.

March 19, 1886.

* See Appendix B. No. IX. (a), p. 451.

March 16, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Johnstone, shorthand writer, was in attendance.

On the hearing of the case of the Royal Irish Academy of Music and Coulson Bequest:—

The Academy was represented by Sir Francis Brady, Bart., q.c., and George Croo, Hon. Secretaries, and Dr. Dunne.

The Executor of Miss Coulson's will was represented by Mr. Garrett Walker (instructed by Messrs. S. and R. C. Walker, Solicitors).

The Commissioners of Charitable Donations and Bequests by Mr. S. Roman (instructed by Mr. P. Maxwell, Solicitor).

The Corporation of Dublin by Mr. E. T. Bewley, q.c., (instructed by Mr. John MacSheehy, Law Agent).

Mr. Roman made a statement.

Mr. Bewley also made a statement.

The following witnesses were sworn and examined:—

Sir Francis Brady, q.c., Hon. Sec.

George Croo, Esq., Hon. Sec.

Joseph Smith, Esq., secy.

On the hearing of the case of Claremont Institution the Dean of the Chapel Royal, Hon. Sec., was sworn and examined.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

March 16, 1886.

March 17, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Johnstone, shorthand writer, was in attendance.

On the consideration of the draft scheme in the case of Alexandra College and Alexandra School the College was represented by the Dean of the Chapel Royal, Warden; Mr. W. G. Brooke, Member of Council; Rev. T. R. S. Collins, Secretary and Bursar; Miss La Touche, Lady Principal of College; Miss Mulvany, Head Mistress of Alexandra School.

Miss Oldham and Mrs. Byers represented the Schoolmistresses' Association.

The following witnesses were sworn and examined:—

Rev. T. R. S. Collins.

Miss Louisa Dwyer La Touche.

Miss Isabella Mulvany, B.A.

William G. Brooke, Esq., M.A.

Miss Oldham made a statement, and it was provisionally decided to hear the representatives of the Schoolmistresses' Association on Wednesday, April 14.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

March 19, 1886.

March 18, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. W. C. Johnston, shorthand writer, was in attendance.

On the consideration of the draft scheme in the case of Ralph Macklin Schools, the Governors were represented by Mr. J. J. Twigg, q.c. (instructed by Messrs. Mansell & Son, Solicitors), also by Mr. R. H. Beauchamp, Rev. Canon Russell, Rev. J. A. Davis, and Rev. S. O. Hughes, Governors.

The Dean of the Chapel Royal also attended.

Mr. Twigg, q.c., made a statement.

The following witnesses were sworn and examined:—

R. H. Boushamp, Hon. Sec.
Rev. J. A. Davis, n.d.
Rev. C. D. Russell.
Rev. S. C. Hughes.
Dean of the Chapel Royal.

On the consideration of the draft scheme in the case of St. Peter's Parochial School and the Wray School, the governing bodies were represented by Messrs. Meade & Colles, Solicitors, Rev. Canon Jellett, Rev. R. G. M. Webster.

The following witnesses were sworn and examined:—

Mr. W. Richardson (Meade, Colles & Co.).
Rev. Canon M. W. Jellett, n.d.
Rev. R. G. M. Webster.

The Commission adjourned.

GERALD FITZGERBON.

March 19, 1886.

Wm. Edward Ellis, Secretary.

March 19, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. W. C. Johnston, shorthand writer, was in attendance.

On the consideration of the draft scheme in the case of Love's Charity, the governing body was represented by Mr. William Anderson, q.c. (instructed by Messrs. H. T. Dix & Son, Solicitors).
Rev. Canon Greene, one of the Trustees, was sworn and examined.

The Dean of the Chapel Royal handed in a written statement in supplement of his evidence in the case of Ralph Macklin Schools.

On the consideration of the draft scheme in the case of Knight's Charity, Dublin, the Dean of St. Patrick's and the Dean of the Chapel Royal, represented the governing body.

The Dean of the Chapel Royal was sworn and examined.

The Secretary was directed to inquire of the Rev. Dr. Stahke, Treasurer of the Charity, who it is that pays him the rentcharge which constitutes the endowment, and to write to the payer of the rentcharge, calling attention to the provisions of the founder's will, and stating that it appears to the Commission that with the exception of the income-tax, no deduction should be made from the annuity, which was to be paid in "sterling money of Great Britain," and that from the accounts it would seem that deductions have been made for poor rate and other taxes, and that the rentcharge has hitherto been paid in Irish currency. Also to request him to inform the Commission of the grounds of this apparent departure from the terms of the will, and whether the rentcharge will in future be paid in British currency, and free of all deductions except such as may be legalized by statute.

PRIVATE MEETING

Minutes of the five preceding meetings read and confirmed.

Letters read:—

Miss Haynes (March 16), as to Bray School.
Charles H. Keene, Esq. (March 15), as to funds of Kildare-place Society.
William Clarke (March 15), as to Cairy, Ballymore National School, County Sligo.
T. T. Mccordy & Son, Solicitors (March 16), as to Morgan's School.
Thomas Laffan (March 15), enclosing an abstract of the evidence he proposes to give.
Rev. W. Prior Moore (March 15), as to his vested interests.

Letter (March 15) read from Mr. M. S. Casson, enclosing a memorial with reference to Ballyroan Endowed School.

To be informed that when the case of Ballyroan Endowed School comes to be considered due notice will be given to the memorialists.

Letter (March 15) read from Mr. H. B. Harris with reference to Ennis Grammar School.

To be informed that an opportunity will be given to all parties interested of presenting their views on the occasion of a local inquiry. The Commission are not yet in a position either to state the date at which it will be held, or whether it will be held at Limerick or Ennis.

The Secretary was directed to send a proof copy of the shorthand notes of evidence in the case of Love's Charity to the Commissioners of Charitable Donations and Bequests, calling their attention to the bearing of the evidence upon the Gardiner's Fund, and requesting them to furnish particulars of the Fund, with any observations they may desire to make as to the expediency of amalgamating it with Love's Charity Fund. Also to ask for the particulars of the funds in their hands which come within section 19 of the Educational Endowments Act as to marriage portions, and of any other Apprenticeship Fee Funds of which they may be aware, which it might be desirable to include in schemes to be settled by the Commission.

The Commission fixed the following sittings to be held at the office, and to be published in the usual way:—

On Monday, April 12, eleven o'clock, A.M.

Boatland Female Orphan School, Dublin.
Merchant Tailors' Endowed School, Dublin.
Methodist Female Orphan Schools.
Female Orphan House, North Circular-road.
Bethesda Female Orphan House.

On Tuesday, April 13, eleven o'clock, A.M.

Castletown Parochial Schools.
Coolock Parochial Schools.
Bakeny Parochial School.

On Wednesday, April 14, eleven o'clock, A.M.

Alexandra College and Alexandra School (adjourned sitting) to hear representatives of the Schoolmistresses' Association.

The Commission adjourned.

GERALD FITZGERSON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

March 22, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. George K. Magee, shorthand writer, was in attendance.

On the consideration of the draft scheme in the case of the Hibernian Marine Society, the governing body was represented by Mr. J. J. Twigg, q.c. (instructed by Messrs Stansell & Son, Solicitors). Dr. C. Sibthorpe, Thomas Sibthorpe, the Archdeacon of Dublin, Rev. Andrew Campbell, D.D., F. De Lisle, Governors, also attended.

The following witnesses were sworn and examined:—

Francis De Lisle, Registrar.
John H. Colvin, Schoolmaster.
Thomas Sibthorpe, J.P., Governor.

The Archdeacon of Dublin made a statement.

Letter (March 29) read from Messrs V. B. Dillon & Co., Solicitors, asking for an adjournment of the sittings in the cases of the Incorporated Society and Erasmus Smith's Schools, to enable Mr. Carton, q.c., counsel for the Roman Catholic Schoolmasters' Committee, to attend.

It was directed that inquiries should be made as to the convenience of the parties interested in these endowments.

The Commission adjourned.

GERALD FITZGERSON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

March 23, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. G. K. Magee, shorthand writer, was in attendance.

On the consideration of the case of the Drummond Institution, in which no draft scheme had been lodged, the governing body was represented by Mr. E. R. L. Maunsell (instructed by Mr. Archibald Robinson, jun., Solicitor), Mr. John Robinson, Governor, and Mr. Walter Kirke, Registrar. Mr. Maunsell made a statement.

The following witnesses were sworn and examined:—

John Robinson, Governor.

Walter Kirke, Registrar.

With reference to the application of Messrs. V. B. Dillon and Co., on behalf of the Roman Catholic Schoolmasters' Committee,

It was resolved:—

That the hearing of the claims of the Roman Catholic Head Masters be postponed to a future date, which will be fixed, after communication with the governing bodies of the Incorporated Society and Erasmus Smith's Schools, at a date which it is hoped may be convenient to all parties, and that the sittings fixed for March 29 and April 2 do therefore stand adjourned until further notice.

The Commission adjourned.

GERALD FITZGERSON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

March 24, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. G. K. Magee, shorthand writer, was in attendance.

On the consideration of the case of Morgan's School, Castletown, the Governors were represented by Mr. H. P. Jellett, Q.C. and Mr. F. A. P. Hamilton (instructed by Messrs. T. T. Meorady and Son, Solicitors), Rev. Canon Jellett, LL.D., Mr. E. Hamilton, Agent, and Mr. J. F. Goodman, Member of the Local Committee.

Mr. Jellett, Q.C., made a statement.

The following witnesses were sworn and examined:—

Edward Hamilton, Agent.

Arthur Murphy, Schoolmaster.

John Fox Goodman, J.P., Member of the Local Committee.

On the consideration of the draft scheme in the case of Mercer's School, Castletown, the governing body was represented by Mr. J. J. Twigg, Q.C. (instructed by Mr. B. W. Roche, Solicitor), and Rev. Canon Jellett, LL.D.

Mr. Twigg, Q.C., made a statement.

The following witnesses were sworn and examined:—

Mr. B. W. Roche, Solicitor.

Rev. Canon M. W. Jellett, LL.D.

Miss Kate Curtis, Schoolmistress.

The Commission adjourned.

GERALD FITZGERSON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

March 25, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. G. K. Magee, shorthand writer, was in attendance.

On the consideration of the draft scheme in the case of the Unitarian Schools, Stephen's-green, the governing body was represented by Mr. R. W. Shekleton, Q.C. (instructed by Messrs. Hone and Falkiner, Solicitors), and Rev. D. Jeremy, D.D.

The case was adjourned to give the governing body an opportunity of considering the advisability of bringing in a revised scheme dealing with all the endowments in connexion with the Stephen's-green congregation.

The Commission adjourned.

GERALD FITZGERSON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

March 26, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. G. K. Magee, shorthand writer, was in attendance.

On the further consideration of the scheme lodged by the governing body of Swords Borough Schools the Governors were represented by Mr. J. J. Twigg, Q.C. (instructed by Messrs. Maunsell and Son, Solicitors).

Mr. Twigg made a statement.

The following witnesses already sworn, were re-examined:—

Rev. Canon Twigg.
Catherine Abern, Mistress, National Schools.
Rev. D. P. Mahoney, D.D.

The following witnesses were sworn and examined:—

Henry Baker, J.P.
Alice Bonister, Mistress, Borough Infant School.
R. R. Cruise, J.P.
John Lomas, D.D.
John McEvoy.
Thomas Magrane.
Peter Enry.
Francis J. Dwyer, M.D.
William Bowden.
William Howard.

The Commission adjourned.

GERALD FITZGIBBON.

April 12, 1886.

Wm. Edward Ellis, Secretary.

April 12, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Henry Hunt, shorthand writer, was in attendance.

On the consideration of the case of Bertrand Institution, the following Governors attended:—Rev. Canon Jellatt, Rev. Canon Greene, Rev. J. S. Hamilton, Rev. H. Magee, R. Fennelister, Q.C.; A. T. Henderson, Q.C.; Mr. G. Woods Maunsell. The Secretary, Dr. Gick, also attended.

The General Synod of the Church of Ireland was represented by Mr. W. G. Brooke and Mr. J. H. Bernard.

The General Assembly of the Presbyterian Church was represented by Mr. J. J. Shaw (instructed by Mr. James Henry, Solicitor).

The following witnesses were sworn and examined:—

Thomas Gick, M.D., Secretary,
Rev. H. Magee, Governor.

Mr. Shaw made a statement.

On the consideration of Merchant Tailors' Endowed School, Rev. Canon Leeper and Mr. Brian, Governors, attended.

Mr. McMullen, Registrar, was sworn and examined.

On the consideration of the case of Methodist Female Orphan School, the governing body was represented by Mr. Cronhelm, Solicitor; Mr. James Booth, and Mr. Roger Hornor, Trustees.

Mr. Cronhelm made a statement.

Mr. W. G. Brooke, representing the General Synod of the Church of Ireland, made a statement.

On the consideration of the case of the Female Orphan House, North Circular-road—

The Rev. J. Digby Cooke, Chaplain, was sworn and examined.

On the consideration of the case of the Bethesda Female Orphan School—

The Rev. C. H. H. Wright, D.D., Chaplain, was sworn and examined.

* See Appendix B, No. VI. (3), p. 426.

PRIVATE MEETING.

The minutes of the six preceding meetings read and confirmed.

Letter (April 8) from the Assistant Under-Secretary, transmitting an original memorial addressed to the Chief Secretary by the Roman Catholic inhabitants of Athy and its neighbourhood, in reference to Athy Model School.

To be informed that these schools were erected and are maintained and managed by the Commissioners of National Education, in whom they are vested, that they are supported by money annually voted by Parliament, and do not appear to possess any endowment coming within the scope of the Commission. That the memorial be returned, as the subject appears one to be dealt with by the Chief Secretary, or by the Commissioners of National Education, and this Commission could not give effect to any scheme for the management of the National Model Schools, and therefore does not propose to open any inquiry respecting them.

The Commission adjourned.

GERALD FITZGIBSON.

Wm. Edward Ellis, Secretary.

April 17, 1886.

April 13, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Henry Hunt, shorthand writer, was in attendance.

On the consideration of the case of Castleknock Parochial School, Mr. John Maunsell, Solicitor, appeared for the Representative Body; Rev. Canon Sadleir, D.D., also attended.

Mr. Maunsell made a statement.

Mr. Darling, a parishioner, made a statement.

On the consideration of the case of Coolock Parochial School, Rev. Dr. Shiskie, Rector, was examined.

On the consideration of Raheny Parochial School (the Dick Charity), Mr. John Maunsell appeared for the parishioners.

PRIVATE MEETING.

Letters read:—

Miss Louisa D. La Touche (March 20), enclosing a return relating to Alexandra College, Dublin.

F. J. Davys, M.N. (March 27), as to his duties as Medical Officer of Swords Borough School.

Miss Isabella D. La Touche (March 16), enclosing a memorial from the Association for the Training and Employment of Women.

G. A. McGusty, Solicitor (April 8), enclosing amended scheme in the case of Tallyvin and Benbawn Endowed Schools.

Letter (April 12) read from T. Spinner as to Rockfield Institution, County Galway.

To be requested to furnish any documents in his power or procurement, relating to the endowment, as it does not appear in the reports of any of the Endowed Schools Commissions.

The Commission adjourned.

GERALD FITZGIBSON.

Wm. Edward Ellis, Secretary.

April 17, 1886.

April 14, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Henry Hunt, shorthand writer, was in attendance.

On the consideration of the case of Alexandra College and Alexandra School—

Rev. R. P. Graves made a statement.

The Schoolmistresses' Association were represented by Mr. J. J. Shaw, who also made a statement.

The following witnesses were sworn and examined:—

Miss Mary McCutcheon, Rutland School, Dublin.
 Miss Mary Anne Parks, Dundalk.
 Miss Harriet A. Martin, High School for Girls, Cork.
 Rev. Canon Macnamara, Hon. Secretary, Rochelle Seminary, Cork.
 Madame Louise de Prins, Limerick.
 Miss Annie Talbot, Tralee.
 Miss Elizabeth M. Smith, Waterford.
 Mrs. Margaret Byers, Ladies' Collegiate School, Belfast.
 Miss Margaret McKillip, Ladies' Collegiate School, Londonderry.
 Miss Isabella Tod.

Miss Oldham, Hon. Sec. Schoolmistresses' Association, made a statement.
 The Dean of the Chapel Royal made a statement.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

April 17, 1886.

April 17, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

The following sittings were fixed at the instance of the Assistant Commissioners, by whom they are to be conducted at the office, and to be published in the usual way:—

On Monday, May 10, eleven o'clock, A.M.

National Schools, Lower Dominick-street.
 St. Mary's Parochial Schools, Lower Dominick-street.
 St. Saviour's Orphanage, Donmach-street.

On Tuesday, May 11, eleven o'clock, A.M.

St. Bride's Parochial National Schools, Bride-street.
 United Parochial Schools of St. Andrew, St. Nicholas Within, and St. Michael, St. John, and St. Werburgh, Fishamble-street.
 Parochial Schools of St. Nicholas Without and St. Luke, New-street.
 Queen's Institute, Dublin.

On Wednesday, May 12, eleven o'clock, A.M.

Wesley College, Stephen's-green.
 St. Thomas's Parochial Schools, Lower Gloucester-street.
 St. James's Parochial Schools, James's-street.
 St. Paul's Parochial School, North King-street.
 St. George's Parochial Schools, North Portland-street.

It was decided that in these cases the following circular should be issued as well as the notice to the respective governing bodies:—

The Commission being now engaged in inquiring into the Educational Endowments in the City and County of Dublin, have had before them the case of the above-named endowment.

The jurisdiction of the Commission extends to all endowments which are not exempted under section 7 of the Educational Endowments (Ireland) Act, 1885, of which a copy is enclosed.

In case the governing body of the above-named endowment should desire to claim that, under this section, it is exempt from the jurisdiction of the Commission, you should furnish a statement in writing of the grounds upon which such claim is based, together with a copy—duly certified to be correct—of any deed, will, statute, charter, or other instrument, now regulating or affecting the application of the endowment.

If a claim of exemption is made it will be considered in the first instance, and should it be established, no further proceeding will be taken without the written consent of the governing body.

Rev. Dr. Molloy submitted the heads of a proposed scheme for Swords Borough Schools, which was considered in detail by the Commission.

The Commission then adjourned to Monday, April 19, at 4.30 o'clock, when Dr. Traill's proposals as to Swords Borough Schools will be considered.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

April 23, 1886.

April 19, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Dr. Traill submitted the heads of a proposed scheme for Swords Borough Schools, which were considered in detail.

It was ordered:—

That the Commission adjourn the consideration of the case of Swords Schools to Wednesday, April 25, at four o'clock, P.M., and that meanwhile each Commissioner be supplied with a copy of the statements drawn up by Dr. Molloy and Dr. Traill.

GERALD FITZGIBBON.

April 28, 1886

Wm. Edward Kilis, Secretary.

April 28, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the two preceding meetings read and confirmed.

Letters read:—

- Charles H. Keene (March 24), as to Kildare-place Society (Mr. Maryon's enrolments).
 Inhabitants of Ballynary, &c., as to Swords Borough School.
 Rev. D. O'Leary (March 31), as to Portora Royal School.
 J. Loftus Eland (April 6), enclosing memorial as to Ballyroan Endowed School.
 R. B. Cruise (April 8), enclosing letter from Colonel Parrior as to Swords Borough Schools.
 Miss Curtis (April 9), enclosing memorandum of suggestions as to Morgan's and Mercer's Schools.
 Rev. John Watson (April 9), enclosing a statement as to Doyle Academic Institution.
 Miss McCutcheon, enclosing a statement in support of her evidence on April 14.
 Messrs. Cronheim, Sons, & Tobias, Solicitors (April 14), enclosing documents relating to Methodist Female Orphan School.
 R. W. Griffin, M.A. (April 15), enclosing copy of letter appointing him examinee of the Swords Borough Schools.
 Miss McKillop (April 14), enclosing a statement in support of her evidence on April 14.
 Francis de Lász (April 15), enclosing a return relating to Hibernian Marine Society.

Letter (March 27) read from Mr. Samuel Robinson as to the claims of Clonsilla parish upon the Drogheda Endowment, Armagh.

To be informed that when the Commission come to inquire into this endowment an opportunity will be afforded him of stating his views.

Letter (March 30) read from Rev. G. Galbraith as to Linsavady Erasmus Smith's School.

To be informed that at present the Commission have no prospect of taking up the schools of the class to which this one belongs, and that whenever they take it up at a local inquiry he will be communicated with.

Letters (April 1 and 2) read from M. Ryan, Esq., M.D., as to the conduct of one of the Assistant Masters at Erasmus Smith's High School, Harcourt-street, Dublin.

To be informed that his letters, with copy of correspondence, were laid before the Commission, who directed the Secretary to point out that the functions of the Commission relate chiefly to the settlement of schemes for the future management of endowments, and that they do not possess any power of interference in particular cases of internal discipline, such as are referred to in the correspondence, which will, however, have attention in its bearing upon the general question of the management of the school and mode of appointing the masters.

Letter (April 5) read from R. McIntosh as to Drogheda Grammar School.

To be informed that the Commission cannot advise him as to obtaining professional assistance, but they will hear any representatives of the parties interested, whether they appear professionally or in person.

Letter (April 12) read from the Commissioners of Charitable Donations and Bequests as to the Parnassus Parnass Charity.

To be informed that this Commission will undertake to inquire into the case, and would be much obliged for copies of, or permission to inspect, any correspondence that will aid them in their inquiries, or for some indication as to the course from which information could be obtained.

Letter (April 3) read from Rev. D. O'Leary, asking whether the Protestant Inhabitants of Ennis-killen could be represented by counsel at the inquiry into Portora Royal School.

To be informed that parties interested in the endowment may be represented by counsel at the local inquiry.

The Secretary was directed to write to the Deputy Superintendent of Swords Borough Schools, asking for a copy of the minute of appointment of each of the persons claiming to have a vested interest, with the age of each.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

May 1, 1886.

May 1, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.
Minutes of the preceding meeting read and confirmed.

Letters read:—

Mrs. Byers (April 17), enclosing revised statement made by her on April 14.
Messrs. Nesbitt & Baker, Solicitors (April 19), as to the Royal Irish Academy of Music and Conservatoire.
Miss Frances Holmes (April 17 and 23), as to Strand House School, Londonderry.
Rev. J. R. Shickle (April 29), enclosing resolutions passed by Vestry of Coolock Parish, Dublin.
Secretary, National Education Board (April 30), stating that no building grant was made to Swords National Schools.

A report for 1885, relating to the United Parochial Schools, Fishamble-street, was submitted.

Letter (April 24) read from James Poe, Esq., as to Joseph Evans' Request, Kilkenny.

To be informed that there will be an inquiry into the condition of the Institution, but it ought not to entail any expense.

Letter (April 27) read from Major Knapp, as to Grammar School, Cork.

To be informed that an opportunity will be afforded of presenting his views on the occasion of a local inquiry at Cork.

Letter (April 30) read from Rev. J. J. Towers, as to St Saviour's Orphanage, Denmark-street, Dublin.

To be informed that on his appearing at the sitting on Monday, May 10, and establishing the facts stated in his letter, the endowment will be declared exempt.

It was resolved:—

That subject to the convenience of the Vice-Chancellor, the adjourned sittings in the case of *Erasmus Smith's Schools and the Incorporated Society* be held on Wednesday, May 19, and on Thursday, May 20, at eleven o'clock, a.m., and that notice be given to all parties interested.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

May 15, 1886.

May 5, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letter (May 3) read from Rev. W. G. Boyce, Swords Borough Schools, as to vested interests.

It was ordered:—

That at the next meeting of the Commission the question be brought up for consideration whether a school, otherwise exempt, being under the National Board, would of itself bring the endowment under the jurisdiction of the Commission.

The Commissioners discussed the following cases:—

Swords Borough Schools.

Methodist Female Orphan School.

The Commission adjourned.

GERALD FITZGERSON.

May 15, 1886.

Wm. Edward Ellis, Secretary.

May 8, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Messrs. Maunsell & Son, Solicitors (May 6), as to Raheny Parochial School, Dublin.

Messrs. Cronhelm, Sons, & Tobias (May 7), as to Wesley College, Dublin.

Letters (May 5 and 6) read from Miss Croker, as to the Queen's Institute, Dublin.

To be informed that the case will be formally in the list for Tuesday, May 11, but that upon application being made to the Commission for a postponement the case will be allowed to stand over to a future day, with a view to the carrying out of the proceedings before the Vice-Chancellor.

With regard to the inspection of schools by the Assistant Commissioners, it was agreed that it would be sufficient for one Commissioner to inspect a school, and that each Commissioner having charge of the drafting of a scheme for any particular school, should himself inspect that school.

That the following schemes be taken in hand by the Commissioners with a view to their early publication:—

1. Swords Borough Schools.
2. Morgan's and Mercer's Schools.
3. Alexandra College and School.
4. Kildare-place Society and Training College.
5. Ralph Macklin Schools.
6. St. Peter's and Wray Schools.
7. Methodist Female Orphan School.
8. Bertrand Female Orphan School.
9. Merchant Tailors' School.
10. Raheny and Coolock Parochial Schools.
11. Claremont Institution.

The scheme as to Swords Borough School was further considered.

The Commission adjourned.

GERALD FITZGIBSON.

May 15, 1886.

Wm. Edward Ellis, Secretary.

May 15, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

Letters read:—

Commissioners of Charitable Donations and Bequests (May 11), enclosing a *schedule of endowments asked for by this Commission.

Theodore Cronhelm (May 11), as to Methodist Female Orphan School.

Rev. A. B. Burton (May 12), as to St. Paul's Parochial School, Dublin.

Miss M. Shekleton (May 13), as to St. Thomas's Parochial School, Dublin.

Henry Hardin, L.L.B. (May 13), as to St. Thomas's Parochial School.

Messrs. Maunsell & Son, Solicitors (May 13), as to Erasmus Smith's English Schools.

Rev. Phineas Hunt (May 10), as to Methodist Female Orphan School.

Mr. W. P. Cunningham (May 14), as to St. James's Parochial School.

Letter (May 13) read from Thomas Laffan, asking to be heard on Tuesday, May 18.

To be informed that the Commission will hear him on that day at twelve o'clock, and that there are two cases already on the list.

The Assistant Commissioners brought up the case of Wesley College, in which they reserved the question of exemption for the consideration of the full Board.

It was ordered:—

That having considered the terms of the deed of trust, the Commission are of opinion that the endowment is applicable and has been provided exclusively for the benefit of Wesleyan Methodists, and being under the exclusive control of persons of that denomination is within exemption 6 of section 7 of the Educational Endowments (Ireland) Act, 1885, and that therefore, they can proceed to settle a draft scheme for the future management of the Institution, only if the governing body should intimate in writing to them their consent that such endowment shall be dealt with under the Act. And that if the

* See Appendix B., No. III., pp. 302, 303.

governing body should desire to avail themselves of the powers of the Commission, and promote the settlement of a scheme, upon consent, it would be the duty of the Commission to have regard in the settlement of such scheme to the denominational character of the endowment.

The Commission discussed the heads of schemes submitted by Professor Dougherty as to the Methodist Female Orphan School and Berstead Female Orphan School.

The Commission adjourned.

GERALD FITZGERSON.

Wm. Edward Ellis, Secretary.

May 22, 1886.

May 19, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, shorthand writer, was in attendance.

The consideration of the case of Erasmus Smith's Schools was resumed.

The governing body were represented by Mr. W. Anderson, q.c., and Mr. E. R. L. Maunsell (instructed by Messrs. Maunsell & Son, Solicitors).

The Standing Committee of Roman Catholic Head Masters was represented by Mr. Carton, q.c., and Mr. M. Bodkin (instructed by Messrs. V. B. Dillon & Co., Solicitors).

The Intermediate Education Committee of the General Assembly of the Presbyterian Church was represented by Mr. J. J. Shaw (instructed by Mr. James Henry, Solicitor).

The Methodist Body were represented by Dr. Webb, q.c. (instructed by Messrs. Cronhelm, Sons, and Tobias, Solicitors).

Mr. Anderson, q.c., made a statement.

Mr. Carton, q.c., made a statement.

Mr. Shaw made a statement.

Dr. Webb, q.c., made a statement.

Rev. S. J. Whitmore, on the part of the Congregationalists, made a statement.

The Right Honorable the Vice-Chancellor was re-examined.

Rev. G. T. Stokes, M.A., was sworn and examined.

Mr. Bodkin made a statement.

Mr. Maunsell made a statement.

The Commission adjourned.

GERALD FITZGERSON.

May 23, 1886.

Wm. Edward Ellis, Secretary.

May 20, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Mr. Charles Ryan, shorthand writer, was in attendance.

The consideration of the case of the Incorporated Society was resumed.

The Society was represented by Mr. E. T. Bewley, q.c. (instructed by Messrs. H. T. Dax and Son, Solicitors).

The Standing Committee of Roman Catholic Head Masters was represented by Mr. Carton, q.c., and Mr. Bodkin (instructed by Messrs. V. B. Dillon and Co., Solicitors).

The Methodist Body was represented by Dr. Webb, q.c. (instructed by Messrs. Cronhelm, Sons, and Tobias, Solicitors).

Mr. Carton, q.c., made a statement.

Dr. Webb, q.c., made a statement.

Mr. Bewley, q.c., made a statement.

Mr. Bodkin made a statement.

Letter (May 18) read from Rev. D. P. Mukahy, P.P., as to corrections of the proof of his evidence.

To be informed that the answer originally given must remain upon the notes in accordance

with the Rules enclosed to him, and that if he desires to add any explanatory note the Commission will be glad to consider it, if furnished, in a condensed form, but such explanation must be confined to the subject matter of the question.

The Commission adjourned.

GERALD FITZGERBON.

May 22, 1886

Wm. Edward Ellis, Secretary.

May 22, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of three preceding meetings read and confirmed.

Letter (May 16) read from George H. King, Bective College, as to the necessity for some endowment for Intermediate Education on the North side of the City of Dublin.

Letter (May 19) read from Edward Houghton, Esq., as to the Coulson Bequest.

To be informed that his communication will receive attention when the matter comes before the Commission.

The draft scheme relating to Morgan's and Mercer's Schools, prepared by Rev. Dr. Molloy, was considered.

The Commission adjourned.

GERALD FITZGERBON.

May 27, 1886.

Wm. Edward Ellis, Secretary.

May 27, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters read:—

Rev. the Dean of St. Patrick's, as to St. Patrick's Cathedral School.

J. H. Nunn, Esq. (May 25), enclosing a statement of objections on the part of Trinity College, Dublin, to the Scheme lodged by the Governors of Erasmus Smith's Schools.

C. U. Townsend, Esq. (May 28), as to Trinity-place Infant School.

Letter (May 25) read from Rev. Canon Pope, as to Ragged Schools, Park-street, West.

To be informed of the entry as to these Schools in the Endowed Schools Report of 1880, and to be requested that some person connected with the School should attend at the sitting, and give information regarding the endowment.

Letter (May 25) read from Rev. A. L. Elliott, as to St. Catherine's Parochial School.

To be informed that the Commission will consult the convenience of the governing body in every way. Some one connected with the Schools should attend at the sitting of the Commission, and apply for an adjournment to a suitable day, which will be granted.

Letter (May 25) read from Thomas Laffan, Esq., asking to be heard between June 2 and 7.

To be informed that the Commission will hear him on June 4. Their sitting on that day begins at two o'clock, and there are already three cases on the list.

Letter (May 26) read from Rev. F. H. Ringwood, enclosing a letter from an officer of the Royal Engineers, as to the disposal of the buildings of Dunganon Royal School.

To be informed that the inquiry as to the Royal Schools is in progress, but the Commission are not yet in a position to make any statement as to the manner in which the school buildings of Dunganon can be disposed of. They hope before the end of the year the matter will be sufficiently advanced to enable them to deal with the question.

A copy of the correspondence to be forwarded to the Commissioners of Education.

Letter (May 27) read from George Cree, Esq., as to the Academy of Music and Coulson Bequest.

To be informed that, in the event of Chancery proceedings being postponed, no unnecessary

delay will take place in this office in settling a scheme for the future government of these endowments.

The draft scheme prepared by Lord Justice FitzGibbon, as to Swords Borough Schools, was considered and amended, and the further consideration of it was adjourned.

A letter was drafted by Lord Justice FitzGibbon, and ordered to be sent to Dr. Walsh, Roman Catholic Archbishop of Dublin, asking permission to insert his name in the draft scheme as one of the governing body of the new Borough Schools.

The Commission adjourned.

GERALD FITZGIBBON.

Wm. Edward Ellis, Secretary.

May 29, 1886.

May 29, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

The Secretary having brought under the notice of the Commission that Mr. W. J. Shannon, Solicitor, through whom the income of Knight's Charity is paid, had not replied to the letter written as ordered in the minutes of March 13, was directed to call Mr. Shannon's attention to that letter, and to request an immediate answer thereto, as the Commission are at present engaged in an inquiry into the endowment which he pays under Mr. Knight's will.

Letter (May 29) read from Sir Francis Brady, Q.C., as to the Couslon Bequest.

To be informed that it was not the intention of the Commission, as at present advised, to proceed with the settlement of a draft scheme for the future management of either the Royal Irish Academy of Music or of the Couslon Bequest while the proceedings in Chancery concerning the latter endowment were in progress. If those proceedings should be postponed, as suggested in the letter of the honorary secretary of the Academy of May 27, the Commission will be prepared to proceed at once with the settlement of a draft scheme dealing with both endowments, taking as a basis the draft already lodged by the Royal Irish Academy of Music. Upon receiving intimation of the postponement of the Chancery proceedings the Commission will arrange to resume the public inquiry of March 16, and immediately after hearing the parties, and obtaining such further information as they require, will prepare the draft of a scheme under Section 21 of the Act. It is impossible to fix any date, but the Commission see no reason to doubt that the first publication of this draft might take place within a fortnight after the conclusion of the inquiry.

The draft scheme of Swords Borough Schools was further considered and amended.

The Commission adjourned.

GERALD MOLLOY.

June 2, 1886.

Wm. Edward Ellis, Secretary.

June 2, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters read:—

Rev. Canon Pope (May 31), as to St. Brigid's Ragged Schools, Park-street, West, Dublin.

Wm. J. Shannon, Esq. (May 31), as to Knight's School, Dublin.

George Cree, Esq. (May 27), as to Royal Irish Academy of Music.

Most Rev. Dr. Walsh, Archbishop of Dublin (June 1), agreeing to allow his name to be inserted in Swords draft scheme.

It was ordered:—

That the adjourned hearing of the Couslon Bequest and the Royal Irish Academy of Music be fixed for Monday, June 7, at 3 o'clock. That notice be sent to all the parties interested, and that Messrs. Culwick and Smith be informed that the Commission will be glad to hear any suggestions they may desire to give.

The Swords draft scheme was further considered.

The Commission adjourned.

GERALD FITZGIBBON.

Wm. Edward Ellis, Secretary.

June 5, 1886.

June 5, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters read:—

A. F. Baker, Esq. (June 2), as to Royal Irish Academy of Music and Convent Bequest.

Thomas Gisk, Esq., enclosing a return as to the Bertrand Female Orphan School.

George Cross, Esq. (June 3), and Joseph Smith, Esq. *versus* (June 3 and 4), as to the Royal Irish Academy of Music.

Messrs. Mansell and Son, Solicitors (June 4), as to St. Ann's Parochial Schools, and Ralph Macklin Schools.

Commissioners of Charitable Donations and Bequests (June 4), as to the Royal Irish Academy and Convent Bequest.

Messrs. Webb, Scott, and Seymour, Solicitors (June 4), as to Trinity-place Infant School.

Letter (May 25) read from Rev. A. S. Fuller, *n.n.*, as to St. Mark's Parochial Schools.

To be informed that someone connected with the school should attend at the sitting, and give, in evidence, all information available as to the endowment.

Letter (June 4) read from Major C. B. Knapp, as to Cork Grammar School.

To be informed that the sittings of the Commission at Cork are not likely to be held till the autumn, of which he will receive due notice.

The Commission adjourned.

GERALD FITZGIBSON.

June 18, 1886.

Wm. Edward Ellis, Secretary.

June 8, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Swords scheme was considered and finally settled.

The Commission adjourned.

GERALD FITZGIBSON.

June 18, 1886.

Wm. Edward Ellis, Secretary.

June 10, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Letters read:—

Rev. M. W. Jellett, M.D. (June 8), as to Morgan's School, Dublin.

Rev. the Dean of St. Patrick's and Rev. Dean of the Chapel Royal (June 8), as to Knight's School, Dublin.

Rev. the Dean of the Chapel Royal (June 8), as to Ralph Macklin Schools.

The joint scheme for Kildare-place Society and the Church of Ireland Training College was discussed and finally settled.

The Commission directed that the first publication of the following schemes should take place on June 15, 1886:—

No. 1.—Swords Borough School.

No. 2.—Kildare-place Society and Church of Ireland Training College.

It was ordered:—That these schemes be published in the following manner:—

I. By inserting an advertisement in the Dublin newspapers.

II. By sending copies of the schemes to the existing governing bodies, and to the members of the proposed governing bodies, and also to all parties having vested interests under the endowments.

* See Appendix C. Draft Schemes *infra*, pp. 482 to 503.

III. By sending copies to the Dublin newspapers.

IV. By sending copies of each to the Public Departments mentioned in the scheme, drawing their particular attention to the portions of the draft schemes, in giving effect to which their co-operation would be required, and stating that if any further copies are required they may be had on application to the office.

The joint scheme for Morgan's and Mercer's Schools was further considered.

Certain of the schemes were entrusted to the Assistant Commissioners, who, in each case, will draw up the heads of the scheme to be drafted, and, with the aid of the Secretary and Assistant-Secretary, put them in a form similar to that in which schemes Nos 1 and 2 are now published.

The Commission adjourned.

Wm. Edward Ellis, Secretary.

GERALD FITZGERBON.

June 18, 1886.

June 11, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGERBON, Rev. Dr. MOLLOY.

The final prints of the Swords and Training College schemes were submitted and approved, and were ordered for press and publication.

The Commission adjourned.

Wm. Edward Ellis, Secretary.

GERALD FITZGERBON.

June 18, 1886.

June 18, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGERBON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the three preceding meetings read and confirmed.

Letter read:—

John W. Jennings, Esq. as to Fifeborough Sunday and Daily Schools.

Letter (June 16) read from Mr. William Whitty, Schoolmaster, Knight's School.

To be informed that his vested interests will be considered when the Commission come to deal with the school.

Letter (June 11) read from Rev. William Marnahle, D.D., as to Ralph Macklin endowment.

To be informed that the claim of St. Andrew's parish upon the endowment will be considered when the case of the Parochial Schools of St. Andrew's comes on for consideration.

Memorial read from inhabitants of Monaghan as to Diocesan School, Monaghan.

The Memorial will receive careful consideration when the Commission come to settle a scheme for the management of the schools under the control of the Commissioners of Education.

Letter (June 16) read from Lieut.-Colonel C. A. Lyon Campbell, R.E., as to the Dunganon Royal School buildings.

To be informed that there are no plans of any of the Royal Schools in this office, but it is presumed they may be obtained by application to R. McDowell, Esq., Secretary to Commissioners of Education, 62, Upper Mount-street, Dublin.

Letter (June 17) read from Rev. J. E. Reilly as to Intermediate Education.

To be informed that the Commission would be glad to give an opportunity to those whom he represents of presenting their views with respect to the Intermediate Education system, but it would be impossible, having regard to the engagements of the Commission, to do so before the end of the present month. If convenient to him, the Commission might find an opportunity after the Schools re-open in September.

Dr. Traill read his "Protest" dated June 15, 1886, against the draft scheme for Swords School, and requested that it should be printed.

To be forwarded to the Treasury Auditor with a letter stating that in the opinion of the Commission it is desirable that it should be printed, and requesting the sanction of the Treasury.

The Commission adjourned.

GERALD FITZGERBON.

June 23, 1886.

Wm. Edward Ellis, Secretary.

* See Appendix C, draft schemes, 1876, pp. 483 to 486.

June 23, 1886.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Dr. TRAILL.

Minutes of the preceding meeting read and confirmed.

Letters read :—

The Under Secretary, Dublin Castle (June 17).

Rev. William Johnson, M.A. (June 18), as to Brown-street Schools, Belfast.

A. Murphy (June 21), as to Morgan's School, Castleknock.

Frederick W. Leeper (June 22), giving names of the lay synodmen of the parishes of Castleknock and Glasilla.

Letter (June 18) read from the Commissioners of Charitable Donations and Bequests as to the General Orphan Home.

To be informed that this Commission will undertake to deal with the endowment.

Letter (June 22) read from William D'Esterre Parker, as to Glenbrook School, Passage West, County Cork.

To be informed that the Commission will inquire into the matter mentioned by him.

A copy of Mr. Parker's letter to be sent to the Bishop of Cork and the Rector of Monkstown, County Cork, with a request that they will be good enough to furnish any information they can give on the subject.

At Dr. Traill's request the Commission agreed to insert a copy of his "Protest against the Swords scheme on the minutes.

The draft scheme for Morgan's and Mercer's Schools, Castleknock, was finally approved.

It was ordered :—

That this scheme be first published on June 26, 1886, the publication to be effected as in the previous cases.

The Commission adjourned.

GERALD MOLLOY.

June 25, 1886.

Wm. Edward Ellis, Secretary.

June 25, 1886.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—The LORD CHANCELLOR, Lord Justice FITZGERDON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letter (June 15) read from the Registrar to the Erasmus Smith's Board, as to the grants made by that Board to Trinity College, Dublin.

Letter (June 23) read from Mr. William Darling as to Castleknock Parochial School.

A copy of Mr. Darling's communication to be forwarded to the Representative Church Body with a request for their observations thereon, and Mr. Darling to be informed that a copy of his letter has been so forwarded.

Letter (June 24) read from Arthur Hill, Esq., as to the inquiry into the Royal Irish Academy of Music.

To be informed that, pending the settlement of a scheme by the Vice-Chancellor, for the Coulson Bequest, the Commission have adjourned their sittings in reference to the Royal Irish Academy of Music, and that on the occasion of their inquiry at Cork the Commission will be prepared to receive any evidence that may be tendered as regards local requirements in the matter of musical education.

Letter read from Commissioners of Charitable Donations and Bequests as to Swords Borough Schools, draft scheme No. 1.

The Secretary was directed to send the reply given in Appendix B, p. 394.

Letter (June 24) read from Commissioners of Charitable Donations and Bequests as to the Church of Ireland Training College, and Kildare-place Society, draft scheme No. 2.

The Secretary was directed to send the reply given in Appendix B, p. 395.

* See Appendix C, draft schemes, *infra*, pp. 403 to 496.† " " " " " *ibid.*, pp. 503 to 504.

The Secretary was also directed to send copies of schemes Nos. 1, 2, and 3, to the Local Government Board, as in the cases of public departments, drawing their particular attention to the portions of the draft schemes, in giving effect to which the co-operation of that Board would be required, and stating that in reference to these schemes the Commissioners of Charitable Donations and Bequests have stated as their opinion—

"That the Local Government Board are the proper parties to prescribe the manner and form in which the accounts of the charity should be kept, and that they are not prepared to accept this responsibility.

And that the Commissioners will be glad to be favoured with any observations which their Board think fit to offer in the matter.

Dr. Trull was authorized to have a copy of his "Protest" against Swords Borough Schools scheme sent, as from himself, to all to whom that scheme has been forwarded.

The Commission adjourned.

GERALD FITZGIBBON.

Wm. Edward Ellis, Secretary.

June 30, 1886.

June 30, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters (June 25) read from the Lord Bishop of Cork and Rev. C. S. Bruce, as to Glanbrook School, Cork.

Copies of these letters to be forwarded to Mr. W. d'E. Parker.

Letter read from George Haslett, Solicitor, enclosing a statement in reference to Watts' Endowed School, Lurgan.

Mr. Murphy having made a report to the Commission as to the state of the printing of the evidence, the following resolutions were adopted:—

That the progress made appears to be most unsatisfactory and the delay is productive of the greatest inconvenience, the notes being of comparatively little use if not available in time for the preparation of the draft schemes.

That the Secretary do call upon the printer to complete and furnish final revised of the first one hundred pages of the evidence, which are to be signed for press as soon as the approval of the Commission has been obtained; and that a complete copy of all the evidence as given up to date be furnished to each of the Commissioners, and three be supplied for the office.

The Secretary was directed to transmit copies of these resolutions to Messrs. Thom & Co., and to inform them that if the matter be not attended to at once it will be necessary for the Commission to address a remonstrance to the Treasury.

The Commission adjourned.

JOHN NAIER.

Wm. Edward Ellis, Secretary.

July 20, 1886.

July 20, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The Lord CHANCELLOR, Lord Justice FITZGIBBON, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters read:—

Commissioners of National Education (July 13), as to Swords Borough Schools and Church of Ireland Training College scheme.

The Local Government Board (July 6), as to schemes already published.

Commissioners of Charitable Donations and Bequests (July 3), as to Church of Ireland Training College.

Commissioners of Charitable Donations and Bequests (July 1), as to Morgan's and Mercer's Schools.

Rev. Canon Sedleir (July 12), as to Morgan's and Mercer's Schools.

Rev. J. H. Bernard (July 14), as to Swords Borough Schools, enclosing statement of objections from the Standing Committee of the General Synod.

Messrs. A. Thom & Co. (July 2), as to printing of the evidence.

Rev. J. Farrell, Longford (July 1), as to the claims of his locality upon a share of an endowment.

W. M. Mitchell (July 12), as to his vested interest as Architect to the Commissioners of Education.

Letter (July 12) read from Messrs. Mansell & Son as to the hearing of objections to the Swords Borough School scheme.

To be informed that the Judicial Commissioners propose to hear any objections that may be made to the Swords scheme on Monday, August 16, so as to dispose of them before the vacation, and avoid the delay which would otherwise occur in sending the scheme forward to the Privy Council. Under section 24 a further period of two months would be occupied before the Privy Council, and, therefore, delaying till October would throw the final settlement of the scheme back into another year.

Letter (July 14) read from Colonel Marsh, C.R.E. in Ireland, as to the Dunganon Royal School buildings.

To be informed that his letter shall have due attention when the Commissioners come to deal with the matter.

Letter (July 13) read from James K. Laing on behalf of himself and others resident in and about Ballina.

To be informed that on the occasion of the local inquiry at Galway or Sligo an opportunity will be given to the inhabitants of Ballina to put forward their claims.

The Commission adjourned.

JOHN NASH.

Wm. Edward Ellis, Secretary.

July 27, 1886.

July 27, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—The LORD CHANCELLOR, Lord Justice FITZGIBBON, Rev. Dr. MOLLOY, Professor DOUGHERTY.

Minutes of the preceding meeting read and confirmed.

Letters read:—

Right Hon. R. B. Warren (July 14), objecting to Kildare-place Society scheme.

Messrs. Mansell and Son, Solicitors (July 24), enclosing objections on behalf of the governing body of Swords Borough School against the draft scheme of the Commission.

Commissioners of Charitable Donations and Bequests (July 23), as to Swords Borough Schools.

William Clarke (July 13), as to Ballynary National School, County Sligo.

Rev. Canon Twigg (July 21), enclosing objections from the Swords School Vestry to the draft scheme relating to the Borough Schools.

Under Secretary, Dublin Castle (July 20), as to printing Dr. Trill's protest.

Letter (July 24) read from Rev. Canon Sallé, asking to supplement his evidence in the case of Castleknock Parochial School.

To be informed that the endowment having been declared exempt, and no application having been as yet received from the governing body requesting the Commission to deal with it, the Commission cannot proceed further with the investigation of its affairs, and without such investigation do not think that they ought to print the document he refers to.

Letter (July 23) read from Thomas Greene, Esq., Secretary, Representative Church Body, as to Castleknock Parochial School.

To be informed that it is no part of the duty of this Commission to make suggestions with reference to schools to which, except with the consent of the governing body, the Educational Endowments (Ireland) Act, 1885, cannot be applied; and that the Reports of the Commissions of 1855 and 1880, and the evidence taken before this Commission contain materials which should aid the Representative Church Body to form its own opinion as to whether the condition of Castleknock School is such as to call for the practical application of the powers of the Commission.

Letter (July 21) read from Miss Curtis and Mrs. Sample, of Mercer's School, as to their vested interests.

To be informed that their letter will receive full consideration when the Commission come to deal with Mercer's School.

Letter (July 21) addressed to Lord Justice FitzGibbon by Mdlle. Fournier was read.

To be informed that it is not within the power of the Commission to interfere with reference to the employment of private teachers.

The draft scheme of the Methodist Female Orphan School was further considered and amended.

The Secretary was directed to forward a copy of the objections of the Governors of Swords Borough School and of the Swords vestry, to the Roman Catholic Archbishop of Dublin, and the Parish Priest of Swords.

The Secretary was directed also to forward when received, to the Church of Ireland Training College Committee, objections raised against the draft scheme by the Kildare-place Society.

It was resolved:—

That the Commissioners do hold the following public inquiries at the office for the consideration of all such objections and proposed amendments as may be received concerning the draft schemes for the future management of the undermentioned endowments, and that notice of these inquiries be published by the insertion of an advertisement in the Dublin newspapers:—

No. 1.—“The School of Swords,” on Monday, August 16, 1886, at 11 o'clock, A.M.

No. 2.—“The Society for Promoting the Education of the Poor in Ireland,” and “The Church of Ireland Training College,” on Wednesday, August 18, 1886, at 11 o'clock, A.M.

The Commission adjourned.

GERALD FITZGIBSON.

August 3, 1886.

Wm. Edward Ellis, Secretary.

July 29, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Professor DOUGHERTY.

The following draft schemes were further considered and amended:—

Merchant Tailors' Endowed School.
Raheny and Coolock Parochial Schools.
Bertrand Female Orphan School.

GERALD FITZGIBSON.

August 3, 1886.

Wm. Edward Ellis, Secretary.

August 3, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present:—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY.

Minutes of the two preceding meetings read and confirmed.

Letter (July 28) read from Rev. John S. McClintock, as to Prior, Hassard, and Knox Endowed Schools.

To be informed that the Commission hope to hold the local inquiries in the North of Ireland in the autumn, and that probably Londonderry will be the most convenient place for these cases.

Dr. Molloy submitted the heads of a proposed scheme for the Alexandra College and School which were considered in detail by the Commission.

The Secretary was directed to write to the Secretary of Alexandra College stating that the Commission would feel obliged if the Council of the College would nominate two or three of their members to confer with the Commissioners upon certain points in connexion with the draft scheme which they are now preparing for the future government and management of the College and School. If the Council could carry out this suggestion without delay the Commissioners would be prepared to settle the draft scheme before adjourning for their vacation, and if it would be convenient to the Council to fix a day during the coming week the Commissioners would arrange to meet their representatives. The object which the Commissioners propose to themselves in this conference is to obtain some further information upon matters of detail with a view to making the scheme as effective as possible in the interests of the institution.

The Commission adjourned.

JOHN NAIRN.

August 10, 1886.

Wm. Edward Ellis, Secretary.

August 4, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present :—Lord Justice FITZGIBSON, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Instructions were given for the preparation of the draft of the report of the Commission for the year ending September 30, 1886.

The draft scheme for Raheny and Coolock Parochial Schools was further considered and amended.

The Secretary was directed to inquire whether there is at present any parochial school-house in Coolock parish, and if so, what is the title to it, and what use it is applied to now, and further, whether in the event of a parochial school being re-opened, that building would be available for the purpose.

The Commission fixed a Public Sitting to be held at the office on Wednesday, August 11, at 11 o'clock A.M., to give judgment in the following cases in which evidence has already been given :—

St. Bride's Parochial National Schools, Bride-street.
Parochial Schools of St. Nicholas Without and St. Luke, New-street.
St. James's Parochial Schools, James's-street.
St. Catherine's Parochial Schools, Thomas-court.
St. Andrew's Parochial Schools, Andrew-street.
St. Michael's Parochial Schools.

Directions were given to have these sittings published in the usual way.

The Commission adjourned.

JOHN NAISH.

August 10, 1886.

Wm. Edward Ellis, Secretary.

August 10, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present :—Lord Justice FITZGIBSON, Right Hon. J. NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the two preceding meetings read and confirmed.

Letters read :—

Most Rev. Dr. Walsh, Archbishop of Dublin (August 2), as to Swords Borough School scheme.
Rev. T. B. S. Collins (August 6 and 9), as to conference with representatives of Alexandra College and School.
Rev. Canon Twigg (August 6), as to the appointment of Henry Baker, Esq., as one of the Governors of the old Borough School, Swords.

Letter (August 5) read from Rev. J. S. Shields, D.D., stating that there is a Parochial School-house in the village of Coolock.

To be requested to forward to the Secretary the original Lease under which the Coolock Parochial School-house is held, or a copy of same.

Letter (August 6) read from Rev. Joseph W. McKay, D.D., as to the Methodist College, Belfast.

To be informed that the Commission are prepared to settle a scheme for the future government and management of the Methodist College, Belfast, as soon as their other arrangements will permit.

Letter (August 9) read from the Incumbents of the Parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without, enclosing objections to the draft scheme relating to Morgan's and Monor's Schools, Castleknock.

The cases reserved for judgment (mentioned in the Minutes of August 4), were considered.

The draft scheme for the Methodist Female Orphan School was discussed and finally approved.

The draft scheme for the Bertrand Female Orphan School was considered, but its settlement deferred in order to communicate with the Commissioners of Charitable Donations and Bequests as to the vesting of the property.

The draft scheme for Merchant Tailors' Endowed School was considered and amended.

The draft report for the year ending September 30, 1886, was under consideration.

The Commission adjourned.

JOHN NASH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 11, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present :—Lord Justice FITZGERBON, Right Hon. J. NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Judgment was given upon the question of exemption in the cases mentioned in the minutes of August 4, the governing bodies of which were represented at the hearing.

It was ruled :—

That the Act does apply to all the cases except the case of St. Catherine's, which is held exempt because the property appears to be vested in a body legally constituted under "The St. Catherine's Parish, Dublin, Estates Act, 1854," the members of which exclusively belong to one religious denomination. If requested by the governing body the Commission will consider the expediency of preparing a draft scheme to enable the Churchwardens, as now appointed, to take the place of those formerly appointed under the Act of George IV., and to extend the provisions of Section 3 of the private Act to all the Trustees.

The draft schemes for Hibernian Marine Society, St. Patrick's Grammar School, and Claremont Institution, were considered and amended.

The Commission adjourned.

JOHN NASH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 12, 1886.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present :—Lord Justice FITZGERBON, Right Hon. J. NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Commissioners held a conference with the following representatives of the governing body of Alexandra College and School with reference to the draft scheme in preparation :—

The Provost of Trinity College, Dublin.

Rev. R. P. Graves.

Mr. W. G. Brooker.

Rev. T. R. S. Collins, Bursar and Secretary.

The Commission adjourned.

JOHN NASH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 16, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Office, 25, Nassau-street, Dublin.

Present :—Lord Justice FITZGERBON, Right Hon. J. NASH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

An application was made by Mr. Hemphill, Solicitor (representing the Kildare-place Society) that the sitting fixed for Wednesday, August 18, should be adjourned till October—but no rule was made on the application.

With regard to the case of Swords Borough Schools the following persons were heard :—

Most Rev. Dr. Walsh, Archbishop of Dublin.

Rev. Canon Twigg, Vicar of Swords.

Mr. G. V. Hart, who (instructed by Messrs. Mansell and Son, Solicitors) represented the governing body of Swords Borough School.

Most Rev. Lord Plunket, Archbishop of Dublin.

Mr. Henry Baker, *c.r.*

Mr. Bowden.

The Commission adjourned.

JOHN NAISH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 18, 1886.

PUBLIC SITTING.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—Lord Justice FRYGIESSON, Right Hon. J. NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

The Kildare-place Society was represented by His Honor Judge Gamble, *q.c.*, Hon. Sec. ; Mr. C. H. Keene, *M.A.*, Registrar ; Mr. J. N. Gerard, *q.c.* (instructed by Mr. Hemphill, Solicitor).

The Church of Ireland Training College by Most Rev. Lord Plunket, Archbishop of Dublin, the Recorder of Dublin.

The Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland, by Mr. S. L. Brown (instructed by Mr. James Henry, Solicitor).

Statements were made by :—

His Honor Judge Gamble, *q.c.*

Mr. Gerard, *q.c.*

The Archbishop of Dublin.

The Recorder of Dublin.

Mr. Brown.

PRIVATE MEETING.

The scheme for Raheny and Coolock Parochial School was finally approved and ordered to be printed.

It was ordered :—That the Draft Schemes* for—

Methodist Female Orphan School,

Raheny and Coolock Parochial School,

be first published on August 21, 1886, the publication to be effected as in previous cases.

The Secretary was directed to send a copy of the Raheny and Coolock scheme to the agent of the Donville Estate, and to request that he will let the Commission inspect the counterpart of the deed of grant of Coolock School-house, or, that he will state whether it is correctly recited in the scheme.

The Commission adjourned.

JOHN NAISH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 19, 1886.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—Lord Justice FRYGIESSON, Right Hon. J. NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the five preceding meetings read and confirmed.

The draft schemes of Swords Borough Schools and the Kildare-place Society and Church of Ireland Training College were considered.

The Commission resolved to hold public sittings, in reference to the undermentioned endowments :—

CAVAN.—At the Court House :—

On Friday, October 1, at 1 o'clock, *P.M.*

Cavan Royal School.

St. Patrick's Diocesan College.

On Saturday, October 2, at 11 o'clock, *A.M.*

Tullyrin and Benbawn Schools]

* See Appendix C, draft schemes, *ibid.*, pp. 306 to 313.

ENNISKILLEN.—At the Court House :—

Monday, October 4, at 11 o'clock, A.M., and the following day at the same hour.

Enniskillen Royal School.
Memorial of Inhabitants of Omagh.
Anne Hall's Bequest for the establishment of an Agricultural School in Fermanagh.
Vaughan's Charity School, Tubrid.

RAPHOE.—At the Royal School :—

Wednesday, October 6, at 12 o'clock, noon.

Raphoe Royal School.

LONDONDERRY.—At the Court House :—

Thursday, October 7, and following day, at 11 o'clock, A.M.

Schools receiving aid from the Irish Society :—

Foy's College.
Londonderry Academical Institution.
St. Columba's Diocesan College.
Magee College.
Gwyn's Institution.
Young's Charity.
Robertson Educational Endowment.
Anne Hall's Conditional Bequest for Four Pupils of Templemore Agricultural School.

COLERAINE.—At the Town Hall :—

Saturday, October 9, at 11 o'clock, A.M.

Coleraine Academical Institution.
Edney's School, Magherafelt.
Laurel Hill School.

BELFAST.—At the County Court House, Crumlin-road :—

Tuesday, October 12, at 11 o'clock, A.M., and three following days at same hour.

Royal Academical Institution.
Belfast Academy.
St. Malachy's College, Belfast.
Methodist College.
Ulster Institution for the Deaf and Dumb.
Sullivan's Schools, Holywood.
Lisburn and Brookfield Schools.
Lancasterian Schools, Frederick-st.
Stanhope-st. Schools.—Whitla's Endowment.
Lilliput-st. Schools.—Currie's Endowment.

LURGAN.—At the School :—

Saturday, October 16, at 11 o'clock, A.M.

Watt's Endowed School.

DUNGANNON.—At the Royal School :—

Monday, October 18, at 11 o'clock, A.M.

Dungannon Royal School.

ARMAGH.—At the Court House :—

Tuesday, October 19, at 11 o'clock, A.M., and following day, at same hour.

Armagh Royal School.
St. Patrick's Diocesan College.
Dreghcourt School, Armagh.
Mall School, Armagh.

MONAGHAN.—At the Court House :—

Thursday, October 21, at 11.30 o'clock, A.M.

Monaghan Diocesan School.
St. Macarten's Seminary.

DUNDALK.—At the Court House :—

Friday, October 22, at 12 o'clock, noon.

Dundalk Educational Institution (Incorporated Society).
Dundalk Endowed School (Erasmus Smith's).
Dundalk Grammar School.
Jackson's Charity, Feckhill.

DROGHEDA.—At the Mayoralty House :—

Saturday, October 23, at 12 o'clock, noon.

Drogheda Grammar School,
Memorial of Inhabitants of Drogheda.
Ardee Endowed School.
Drogheda Blue School.

Instructions were given to the Secretary to have these sittings advertised in the *Dublin, Belfast, and Londonderry papers*, and also so far as they concern each locality in its local newspaper.

The Secretary was directed to write to the Sub-Sheriffs of the counties and towns in which the Court Houses are required, asking to be permitted to use them; and to the Clerk of Town Commissioners, Coleraine, asking permission to use the Town Hall.

The Secretary was directed to write to the Rev. J. S. McClinton, Lifford, stating that as the Commissioners pass through Lifford on October 6 next, they would propose to visit at 10 o'clock A.M., the Priory, the Hansard and the Blackrock Schools. They will not be able on this occasion to hold a formal public inquiry, but the visit will probably enable them to dispense with it.

The Commission adjourned.

JOHN NASH.

September 30, 1886.

Wm. Edward Ellis, Secretary.

September 27, 1886.

Meeting of the Commission held this day at their Office, 23, Nassau-street, Dublin.

Present :—Lord Justice FRANKLIN, Right Hon. J. NASH, Rev. Dr. MOLLOY, Professor DOUGHERTY.

Letters read :—

James H. Smith, Esq. (August 23), as to the inquiry to be held at Raphoe Royal School.
Messrs. Meade, Colles and Co., Solicitors (August 20), sending draft scheme for the Parochial Schools of St. Luke and St. Nicholas Withovot.

Sub-Sheriff of Londonderry (August 23), as to accommodation at the Court House, Londonderry.

Sub-Sheriff of Louth (August 24), as to accommodation at the Court House, Dundalk.

Sub-Sheriff of Armagh (August 24), as to accommodation at the Court House, Armagh.

Sub-Sheriff of Cavan (August 24), as to accommodation at the Court House, Cavan.

Sub-Sheriff of Fermanagh (August 25), as to accommodation at the Court House, Enniskillen.

Sub-Sheriff of Antrim (August 25), as to accommodation at the Court House, Belfast.

Sub-Sheriff of Monaghan (August 25), as to accommodation at the Court House, Monaghan.

Sub-Sheriff of Drogheda (August 24), as to accommodation at the Court House, Drogheda, and (August 26) as to accommodation at the Mayoralty House.

Clerk to Town Commissioners, Coleraine (August 23), as to accommodation at the Town Hall, Coleraine.

Secretary, Local Marine Board (August 20), as to Mibernian Marine School scheme.

F. J. Davis, Esq., M.D. (August 31), as to corrections in his evidence with reference to Swords Borough Schools.

Rev. W. Prior Moore (September 3), as to whether the Masters of the Royal Schools should present a scheme to the Commission.

W. W. Davidson, Esq. (September 1), as to scope of inquiry into Brookfield Agricultural School.

Rev. William Mervale, A.B. (September 9), as to a scheme for St. Andrew's Parochial School.

Messrs. F. and E. Reid, Solicitors (September 9), enclosing amended scheme for Gryns Charitable Institution, Londonderry.

John G. Perrie, Esq. (September 21), as to Bonbawn School, County Cavan.

George R. Armstrong, Esq. (September 8), whether the Commission will receive a memorial and deputation from the inhabitants of Newry.

Letter (August 24) read from Rev. J. G. Rainford stating that Dandalk Erasmus Smith's School does not exist.

To be asked to appear before the Commission at the inquiry to be held on Friday, October 12, and to state on that occasion the facts contained in his communication.

Letter (August 25) read from William Bentham, Esq., as to Cooklock School-house.

To be asked to call at the office with the memorandum of agreement which he stated is in his possession, and also to state in writing whether he has any original deed of grant by the Downville family, or entry of same, and if so, the date and particulars of it. If he has not any such deed or any entry of same to be good enough to inform the Commission of the grounds upon which it appeared in the reports of former Commissions.

Letter (September 4) read from Rev. J. O'Laverty, P.P., Hollywood, as to Sullivan Schools.

To be informed that all the information mentioned by him as necessary, will be before the Commission, and he can also attend before them at the inquiry.

Letter (September 25) read from G. R. Armstrong, Esq., enclosing a memorial from inhabitants of Newry.

To be informed that the Commission will take the memorial forwarded by him into consideration either at Dundalk or Armagh as he may think more convenient, provided he gives the Commission due notice of the place he may select. The Commission cannot receive a deputation, but will receive evidence from witnesses in support of the memorial.

* Letter (September 11) signed by Mr. Andrew J. Kettle and other inhabitants of Swords read as to the Swords Borough School scheme.

To be informed that the subject of his communication received attention both in the preparation of the draft scheme, and at the inquiry held after it had been for two months before the public, on the latter occasion all the evidence tendered upon the question of the appointment of the Roman Catholic Governors was received and considered, and although there were difficulties from both sides the Commission ultimately concluded that the system of co-option proposed by the draft scheme appeared to be the best. The memorialists will observe that all Roman Catholic residents in the Borough are eligible, and that any Governor failing to attend for a year *ipso facto* vacates his office, and that the qualification of Justice of the Peace, or Guardian of the Poor, applies only to the case of non-residents.

Letter (September 18) read from Rev. Joseph W. McKay as to an inquiry being held by the Commission at the Methodist College, Belfast.

To be informed that the Commission think it better that the inquiry should take place in the first instance in the County Court House, Crumlin-road, and that if found advisable, it be adjourned to the College, also that the Commissioners will inspect the College.

Letter (September 24) read from Rev. C. K. Toland enclosing memorial from inhabitants of Stebbane.

To be informed that if the memorialists desire to give evidence in support of the memorial forwarded by him upon the occasion of the inquiry at Raphoe, the Commission would be prepared to receive evidence from any witnesses nominated for the purpose.

Letter (September 25) read from Most Rev. Dr. Donnelly, Bishop of Clogher, to Dr. Melloy, as to the course of the inquiry by the Commission into educational endowments.

To be informed that the question of exemption under section 7, if claimed, will be first considered, and if the claim of exemption is made and established no inquiry into the funds of the endowment will be made, otherwise the Commission will be glad to have a short summary of the endowment and its receipts and expenditure since last Commission, namely, for the last five years. A circular indicating course of the Commissioners' inquiry to be enclosed.

Letter (August 26) read from Secretary, Local Government Board, as to the draft schemes framed for Raheny and Coolock Parochial Schools, and Methodist Female Orphan School.

To be informed that the Commission have carefully considered his communication of July 5, and it will be observed that the Commissioners have altered the form originally prepared for providing for the auditing of the accounts of Educational Endowments, also to ask the attention of his Board to section 17 of the Act which requires this Commission to provide for such audit, and to point out that, in the form now adopted, it will be open to the Board to have the accounts submitted to one of their own auditors or to nominate any authority that they may consider competent to conduct the audit, and each scheme provides for payment for the cost of audit out of the income of the endowment. Under these circumstances, the Board being named in the Act, the Commissioners believe that the objects of the Legislature can best be attained through the Local Government Board, and that there ought to be no difficulty in securing a sufficient audit either through an auditor of the Local Board, or an authority whom the Board may appoint on consideration of the circumstances of each case.

Letter (September 4) read from Br. Clement C. Maguire as to Christian Schools, Cavan.

To be informed that if he will appear before the Commission at the inquiry to be held in Cavan, in support of his views, they will be glad to hear him.

The following circular was ordered to be printed for the information of persons interested in the public inquiries:—

The Commissioners propose to inquire into:—

1. The present condition of the School and its progress during the past five years.
2. The constitution of the Governing Body.
3. The nature and amount of the Endowment, and the management thereof for the last five years, and to hear the evidence of local bodies and persons interested in education as to the best way of applying the Endowment.

The Commission adjourned.

JOHN NASH,

September 20, 1886.

Wm. Edward Ellis, Secretary.

September 23, 1886.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—Lord Justice FITZGERALD, Right Hon. J. NAISH, Rev. Dr. MOLLOY, Professor DOUGHERTY.

The Draft Report was considered and amended.

It was resolved :—

That the following be included in the Report in the order specified :—

1. The Report proper including—

Abstract of minutes—

- I. Summary of meetings and attendances.
- II. Meetings of full Commission.
- III. " " Judicial Commissioners.
- IV. " " Assistant Commissioners.

3. Appendix A. Evidence at Public Inquiries.

4. Appendix B. Documents referred to in the minutes and evidence.

5. Appendix C. Draft Schemes—

(a) As published.

(b) As finally settled and submitted to the Lord Lieutenant in Council.

The Secretary was directed to prepare and send to the printer an abstract of the Minutes for publication in the Report.

The Secretary was directed to give notice to the agents on the Royal School Estates that the Commission will, at their approaching sittings in Ulster, take their evidence at whichever of the places for which Royal Schools are listed may be most convenient to them.

The Commission adjourned.

JOHN NAISH.

September 30, 1886.

Wm. Edward Ellis, Secretary.

September 30, 1886.

Meeting of the Commission held this day at their Offices, 23, Nassau-street, Dublin.

Present :—Lord Justice FITZGERALD, Right Hon. J. NAISH, Rev. Dr. MOLLOY, Dr. TRAILL, Professor DOUGHERTY.

Minutes of the three preceding meetings read and confirmed.

The Draft Report was further considered and amended.

The Commission adjourned.

JOHN NAISH.

November 1, 1886.

Wm. Edward Ellis, Secretary.

PART III.

MINUTES OF THE JUDICIAL COMMISSIONERS.

September 22, 1885.

Meeting of the Judicial Commissioners held this day at 10 Merrion-square, North, Dublin.

Letters (September 14, 19) read from the Treasury fixing the salaries of the officers of the Commission, and stating that arrangements had been made for the furnishing of the offices and the supply of stationery and other requisites.

The following appointments were made :—

Secretary,—William Edward Ellis, Esq., LL.B., Barrister-at-law; Chief Clerk and Assistant Secretary,—N. D. Murphy, Junr., Esq., M.A., Barrister-at-law; Clerk,—Louis J. GER, Esq.

These officers were directed to make preliminary arrangements at the offices, at which they were to be in regular attendance on and after September 28.

GERALD FITZGERSON.

September 23, 1885.

Wm. Edward Ellis, Secretary.

September 29, 1885.

Meeting of the Judicial Commissioners held this day at the Offices, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

The Secretary received instructions for the insertion of an advertisement calling attention to the provisions of section 20 of the Act, relating to notices and draft schemes lodged by the governing bodies of endowments.

Letter read from the Under-Secretary to the Lord Lieutenant intimating that, by warrant dated September 25, 1885, His Excellency had appointed the Rev. Gerald Molloy, D.D., D.Sc.; Anthony Trill, Esq., LL.D., M.D., and Rev. James B. Dougherty, M.A., to be Assistant Commissioners under the Act.

Rev. Dr. Molloy, Assistant Commissioner, was present for a portion of the meeting, and it was decided that a meeting of the full Commission should be convened for Friday, October 2, at one o'clock, P.M.

The Form of Notice (section 20), and the form of Acknowledgment of Notice were settled.

Charles MacMahon was appointed messenger and copyist, and his wife, Mary A. MacMahon, office cleaner.

The Secretary was authorized to employ some one temporarily to clean the offices, carry coal, &c., until the messenger and his wife enter upon their duties.

GERALD FITZGERSON.

October 16, 1885.

Wm. Edward Ellis, Secretary.

October 16, 1885.

Meeting of the Judicial Commissioners held this day at the Offices, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Ordered :—

That the Public Office hours be from ten to three, P.M., from Monday till Friday, and from ten to one, P.M., on Saturday.

GERALD FITZGERSON.

December 5, 1885.

Wm. Edward Ellis, Secretary.

December 5, 1885.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Ordered:—

That the Office of the Commission be closed for the Christmas holidays, arrangements being made to open and attend to all letters of an urgent nature during that time.

GERALD FITZGIBBON.

December 9, 1885.

Wm. Edward Ellis, Secretary.

December 9, 1885.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Henry Hunt appointed to take a shorthand report of the sittings, December 15, 16, and 17.

GERALD FITZGIBBON.

January 4, 1886.

Wm. Edward Ellis, Secretary.

January 4, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (December 23) read from the Under-Secretary to the Lord Lieutenant, asking for a copy of any letter or memorandum addressed by the Judicial Commissioners to the Assistant Commissioners prescribing their duties.

Reply to be sent as drafted.

GERALD FITZGIBBON.

January 14, 1886.

Wm. Edward Ellis, Secretary.

January 14, 1886.

Meeting of the Judicial Commissioners held this day at the Four Courts, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (January 8) read from the Under-Secretary to the Lord Lieutenant, as to the travelling expenses of Professor Dougherty, one of the Assistant Commissioners.

Reply to be sent as drafted.

Copy of letter to be sent to Professor Dougherty, with letter as drafted.

GERALD FITZGIBBON.

February 9, 1886.

Wm. Edward Ellis, Secretary.

February 9, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (January 30) read from the Treasury, asking that Civil Service Certificates be furnished in the case of Mr. Murphy, Chief Clerk, Mr. Gill, Clerk, and Charles McMahon, Messenger.

Reply to be sent as drafted.

JOHN NASH.

February 20, 1886.

Wm. Edward Ellis, Secretary.

February 20, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (February 18) read from the Treasury, as to the Civil Service Certificates of the Chief Clerk, the Clerk, and the Messenger.

The Secretary to reply that steps are being taken to comply with the wishes of the Treasury, and to ask the Civil Service Commissioners what steps should be taken to do so.

JOHN NASH.

February 23, 1886.

Wm. Edward Ellis, Secretary.

February 23, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Augustine Short appointed to take a shorthand report of the sittings in the week beginning March 1, 1886.

JOHN NASH.

March 1, 1886.

Wm. Edward Ellis, Secretary.

March 1, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Charles Ryan appointed to take a shorthand report of the sittings in the week beginning March 8, 1886.

JOHN NASH.

March 5, 1886.

Wm. Edward Ellis, Secretary.

March 5, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. W. C. Johnston appointed to take a shorthand report of the sittings in the week beginning March 15, 1886.

JOHN NASH.

March 8, 1886.

Wm. Edward Ellis, Secretary.

March 8, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (March 1) read from the Civil Service Commissioners in reply to minute February 29th. Reply to be sent as drafted.

JOHN NASH.

March 11, 1886.

Wm. Edward Ellis, Secretary.

March 11, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. George K. Magee appointed to take a shorthand report of the sittings in the week beginning March 22, 1886.

JOHN NASH.

March 25, 1886.

Wm. Edward Ellis, Secretary.

March 25, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Henry Hunt appointed to take a shorthand report of the sittings on April 12, 13, and 14.

JOHN NASH.

May 4, 1886.

Wm. Edward Ellis, Secretary.

May 4, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Augustine Short appointed to take a shorthand report of the sittings in the week commencing May 10, 1886; and the Secretary was directed in this and all future appointments of shorthand writers, to inform the gentleman appointed that he will be expected to send in the transcript of each day's evidence not later than forty-eight hours after it shall have been given, and to ask whether, having regard to his other engagements, he will be prepared to carry out this arrangement.

JOHN NASH.

May 14, 1886.

Wm. Edward Ellis, Secretary.

May 14, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Charles Ryan appointed to take a shorthand report of the sittings in the week beginning May 17, 1886.

JOHN NASH.

May 31, 1886.

Wm. Edward Ellis, Secretary.

May 31, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Charles Ryan appointed to take a shorthand report of the sittings on June 4, 7, 8, and 9, 1886.

JOHN NASH.

June 5, 1886.

Wm. Edward Ellis, Secretary.

June 5, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (May 31) read from the Under-Secretary, Dublin Castle, as to travelling and other expenses of the Assistant Commissioners.

Reply to be sent as drafted.

JOHN NASH.

June 10, 1886.

Wm. Edward Ellis, Secretary.

June 10, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of the preceding meeting read and confirmed.

It was ordered:—

That the Office of the Commission be closed at Whitentide from Friday, June 11, to Wednesday, June 16, inclusive.

JOHN NASH.

June 23, 1886.

Wm. Edward Ellis, Secretary.

June 23, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Letter (June 17) read from the Under-Secretary, Dublin Castle, as to the travelling and other expenses of the Assistant Commissioners.

JOHN NASH.

August 19, 1886.

Wm. Edward Ellis, Secretary.

August 19, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Mr. Henry Holt appointed to take a shorthand report of the sittings to be held in Ulster from October 1 to October 23 inclusive.

It was ordered:—

(1.) That the Office of the Commission be closed for the Summer Vacation from August 22 to September 12, inclusive.

(2.) That during that time the Office shall be open on Mondays, Wednesdays, and Fridays from twelve to three o'clock. Mr. Gill being in attendance.

(3.) That all letters received during that time shall be acknowledged, stating that they will be attended to as soon as the Commission resumes after Vacation—(September 12).

(4.) That in all matters of importance or urgency Mr. Gill will consult Dr. Molloy.

(5.) That the Secretary shall take charge of the Office during the absence of the Commissioners in Ulster, and Mr. Murphy shall act as Assistant Secretary during the public sittings in Ulster.

The Secretary was granted five weeks leave, viz.—from August 22 to September 26 inclusive.

The Assistant Secretary was granted leave from August 20 to September 12 inclusive.

JOHN NASH.

September 27, 1886.

Wm. Edward Ellis, Secretary.

September 27, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

The Judicial Commissioners had a conference with the Assistant Commissioners in reference to the objections and amendments relating to the draft schemes in the cases of:—

- No. 1.—Swords Borough Schools.
- No. 2.—Church of Ireland Training College and Kildare-place Society.
- No. 3.—Morgan's and Mercer's Schools.

The schemes in these cases were revised and finally adopted, and the Secretary was directed to have copies ready for signature on the 30th, upon which date they were to be forwarded for the approval of the Lord Lieutenant in Council.

With reference to a communication from Rev. Canon Jollett, M.D., containing objections to the last mentioned scheme, the Secretary was directed to inform him that the Judicial Commissioners have carefully considered his observations dated August 24th, and they have also had before them the objections and proposed amendments of the Trustees of Mercer's School; and that in the greater number of instances the Judicial Commissioners are glad to have been able to adopt his suggestions, and as to those points upon which they have thought it right to retain the provisions to which he has taken exception to ask the attention to the observations contained in their letter to the Trustees enclosing a copy; also to inform him that the Judicial Commissioners have allowed the objections, dated the 9th August, 1886, of the Incumbents of the four parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without, and have amended the scheme so as to secure the continuance of the annual payment of £28 6s. 2d. for the benefit of the poor under the provisions of Mary Mercer's Will.

With reference to the objections and proposed amendments of the Trustees of Mercer's School the Secretary was directed to write to Mr. B. W. Roche, their Solicitor, stating that the Judicial Commissioners have carefully considered these objections and amendments, and that, with the following exceptions, they have in substance adopted the views of the Trustees, and amended the Scheme accordingly. Having regard to the intimate connection which has so long existed between Morgan's and Mercer's Schools, to their close proximity, and to the similarity of the foundation and objects, the Commissioners cannot but think amalgamation desirable, and likely to result in economy and increased efficiency of management. It appears expedient especially for the proper management of the estates that the number of Governors should be increased and lay members introduced; and having regard to the evidence before them, the Commissioners think it right that the Governors should meet at the Schools twice, at the least, in each year, and that they should not rely entirely upon the reports of others as to the material, moral, and educational condition of the institution under their care. They will leave it open to the Governors to appoint the place of election at which candidates are to present themselves. They think that due consideration of the claims of candidates from the city parishes should be secured through the Incumbents holding places on the governing body, and that it is not advantageous, nor in accordance with the foundations, that any single Governor should have an absolute right of nomination. They cannot in general sanction the appointment of Governors to paid offices, but it will be made clear that this disability is not to extend to any existing vested interest, and provision will be made to enable the other Governors to appoint the Incumbent of any parish in which the Schools may be situate to act as Catechist. Having regard to the founders' intentions, they cannot compel pupils being Protestants to conform to the doctrines of the Church, but the Governors will be enabled to provide such religious instruction as they may deem expedient. The provision that the number of female free pupils shall not be reduced below that of the male free pupils is retained, having been introduced in accordance with the founder's intentions—Morgan's Endowment being for equal numbers of boys and girls, and Mercer's Endowment for girls only. The Commissioners have felt themselves bound under section 8 of the Act to allow an objection received from the Incumbents of the four parishes mentioned in Mary Mercer's Will, and to amend the Scheme by fixing the sum annually payable for the relief of the poor at £28 6s. 2d., being the amount which for many years has been applied out of the income of the Mercer Endowment to this charitable use. On the application of some member of the present staff, a provision has been introduced requiring the Governors, if they should discontinue the services of any officer having a vested interest, to provide such a reasonable retiring pension or gratuity as the Commissioners of Charitable Donations and Bequests may approve. With the amendments intended to give effect to the wishes of the Trustees of Mercer's School in other respects, the Scheme, after careful revision, will be submitted at once for the approval of the Lord Lieutenant in Council. Also enclose a copy and say that if the Trustees still desire that the draft scheme originally prepared by them shall be submitted with that of the Commissioners to the Lord Lieutenant in Council, under section 23 of the Act, they will please give notice to that effect at their earliest convenience.

JOHN NASH.

September 30, 1886.

Wm. Edward Ellis, Secretary.

September 30, 1886.

Meeting of the Judicial Commissioners held this day at the Office, 23, Nassau-street, Dublin.

Minutes of preceding meeting read and confirmed.

Schemes framed by the Judicial Commissioners were duly signed for the future government and management of the following endowments :—

No. 1.—Swords Borough Schools.

No. 2.—Church of Ireland Training College and Kildare-place Society.

No. 3.—Morgan's and Mercer's Schools.

GERALD FITZGERSON.

October 25, 1886.

Wm. Edward Ellis, Secretary.

PART IV.

MINUTES OF THE ASSISTANT COMMISSIONERS.

NOTE.—Unless where otherwise stated, all the Assistant Commissioners were present at every Meeting and Public Sitting of the Assistant Commissioners.

March 20, 1886.

Assistant Commissioners met and inspected school of the Hibernian Marine Society, Dublin.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

April 15, 1886.

Assistant Commissioners held a Meeting.

The following list of sittings of Dublin City Endowments was arranged for submission to Judicial Commissioners :—

May 3—

St. Bride's Parochial School.

United Parochial Schools, Fishamble-street.

St. Nicholas Without and St. Luke's Parochial Schools.

May 4—

The Queen's Institute.

Wesley College, Stephen's-green.

St. Thomas's Parochial School.

St. James's Parochial School.

May 5—

St. Paul's Parochial School.

St. Mary's Parochial School.

St. George's Parochial School.

Following question was resolved to be submitted to Judicial Commissioners :—

Whether the fact of an endowment being applied under the National School system would, of itself, bring it under the jurisdiction of the Commission.

With respect to certain endowments which *prima facie* appeared to be exempt from the jurisdiction of the Commission, a discussion took place as to whether such endowments should be treated by the Assistant Commissioners as being exempt, or whether, in the first instance, an inquiry should be held into the origin and nature of the endowment for the purpose of determining the question of exemption. And it was

Resolved :—

That a draft circular be prepared, to be sent to the governing bodies of such endowments, stating that the Commissioners were about to take up the investigation thereof, and requesting information as to the origin and nature of the endowment.

The Assistant Commissioners inspected Ralph Macklin's Schools and the Church of Ireland Training College, and the National Schools attached thereto.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

April 16, 1886.

The Assistant Commissioners met and inspected Castleknock Parochial Schools, Morgan's Schools, and Mercer's Schools.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

April 17, 1886.

The draft* circular prepared in pursuance of the resolution of April 15, was this day submitted to and settled by the full Commission.

The following list of sittings was ordered to be published :—

Monday, May 10, 1886.

- 32. National Schools, Lower Denmark-street.
- 33. St. Mary's Parochial Schools, Lower Denmark-street.
- 34. St. Saviour's Orphanage, Great Denmark-street.

Tuesday, May 11, 1886.

- 35. St. Bride's Parochial National Schools, Bride-street.
- 36. United Parochial Schools of St. Andrew, St. Nicholas Within, and St. Michael, St. John, and St. Werburgh, Fishamble-street.
- 37. Parochial Schools of St. Nicholas Without, and St. Luke, New-street.
- 38. Queen's Institute, Dublin.

Wednesday, May 12, 1886.

- 39. Wesley College, Stephen's-green, Dublin.
- 40. St. Thomas's Parochial Schools.
- 41. St. James's Parochial Schools, James's-street.
- 42. St. Paul's Parochial Schools, North King-street.
- 43. St. George's Parochial Schools, North Portland-street.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

April 29, 1886.

Assistant Commissioners held a Meeting.

The Assistant Commissioners arranged to meet at ten, A.M., next day to inspect :—

- Bertram Female Orphan School.
- Merchant Tailors' School.
- Methodist Female Orphan School.

The Assistant Commissioners allocated among themselves for the purpose of preparation of draft Schemes to be taken into consideration on May 3rd, the following cases :—

Dr. Molloy—

- Morgan's School.
- Mercer's School.

Dr. Traill—

- Church of Ireland Training College.
- Society for the Education of the Poor of Ireland.
- Ralph Macklin's Schools.
- Claremont Institution.
- St. Peter's Parochial and Wray Schools.

Professor Dougherty—

Bertrand Female Orphan House.
Merchant Tailors' School.
Methodist Female Orphan School.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

April 30, 1886.

The Assistant Commissioners met and inspected the Methodist Female Orphan School and Bertrand Female Orphan House.

GERALD MOLLOY.

May 5, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 5, 1886.

Assistant Commissioners held a Meeting.

Minutes of previous meetings read and signed.

The Assistant Commissioners resolved—

That the Record to be kept by the Chief Clerk of the Inspection of Schools be styled "Notes of Inspection," to be a statistical narrative with such opinions as any of the Assistant Commissioners should express and direct to be taken down.

It was also resolved—

That the question be put to the Judicial Commissioners, whether it would not be competent for any one of the Assistant Commissioners to conduct the inspection of a School, and if not, how many should join to conduct such inspection.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 6, 1886.

Assistant Commissioners held a Meeting.

With regard to the question as to whether endowments being under the National School system are thereby brought under the jurisdiction of the Commission, it was

Resolved—

That the following propositions be submitted to the Board—

I. That if the National School consist merely of a site and building the Commission for the present do not propose to interfere with it.

II. If the National School consist of a site and building together with a small endowment below a certain amount, the Commission will treat it as a case coming under Proposition I.

III. The general question as to whether National Schools having an endowment strictly come within the jurisdiction of the Commission.

The Assistant Commissioners inspected Merchant Tailors' School.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 10, 1886.

Assistant Commissioners held a Public Sitting.

National Schools, Lower Dominick-street.

Adjourned to May 18, at 12 noon.

St. Mary's Parochial Schools, Lower Dominick-street.

Rev. J. H. Manshan sworn and examined.

Documentary evidence handed in.

St. Saviour's Orphanage.

Rev. J. T. Towers sworn and examined.

Declared—

That the Act does not apply unless with consent in writing of governing body subject to production of lease in support of evidence of witness.

Mr. Shortt, the shorthand writer, was in attendance.

Dr. Trill and Professor Dougherty inspected Alexandra College and School.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 11, 1886.

Assistant Commissioners held a Public Sitting.

United Parochial Schools of St. Andrew, St. Nicholas Within, St. Michael, St. John, and St. Werburgh.

Case adjourned to May 13th on application of Mr. William Anderson, q.c.

Miss Le Touche appeared on behalf of the Irish Association for Promoting the Education and Employment of Women, which had obtained an order from the Vice-Chancellor for payment to them of the fund standing to the credit of the Queen's Institute.

Case was ordered to stand over generally.

St. Bride's Parochial Schools.

Rev. W. C. Greene attended, and claimed that the endowment was exempt from the jurisdiction of the Commission.

The question of exemption was reserved.

The following witnesses were examined:—

Rev. W. C. Greene.

Rev. S. C. Hughes.

Susan Adams.

Parochial Schools of St. Nicholas Without and St. Luke.

Rev. J. D. Smylie claimed that the endowment is exempt from the jurisdiction of the Commission. A summons to attend at 4, P.M., on this day was issued and served on the Rev. J. D. Smylie.

At 4, P.M. W. A. Hayes, Esq., was sworn and examined.

Mr. Shortt, the shorthand writer, was in attendance.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 12, 1886.

Assistant Commissioners held a Public Sitting.

St. George's Parochial School.

Case adjourned generally on application of Rev. T. L. Scott.

Wesley College, Stephen's Green.

Dr. Webb, q.c. (instructed by Messrs. Cronhelm and Tobias), appeared and claimed that endowment is exempt from the jurisdiction of the Commission.

The question of exemption was reserved.

The following witnesses were sworn and examined :—

Rev. T. A. McKee, D.D.
Theodore Crochelm.
Rev. Wallace McMillen.

St Thomas' Parochial Schools. No appearance.

St James' Parochial Schools.

Following witnesses sworn and examined :—

Rev. T. Tomlinson.
William Cunningham.
Mrs. Cunningham.

St. Paul's Parochial School.

Rev. A. R. Barton was sworn and examined.

Mr. Shortt, the shorthand writer, was in attendance.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 12, 1886.

Assistant Commissioners held a Meeting.

Professor Dougherty's rough draft schemes for Methodist Female Orphan School and Bertrand Orphanage were discussed.

Case of St. Thomas' Parochial School ordered to be put into to-morrow's list, and the Assistant-Secretary was directed to write, unofficially, to Rev. F. W. Gasco, stating that the Commissioners expected that there would be some attendance on behalf of governing body.

GERALD MOLLOY.

May 13, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 13, 1886.

Assistant Commissioners held a Public Sitting.

Mr. Shortt, shorthand writer, was in attendance.

United Parochial Schools, Fishamble-street.

Mr. W. Anderson, Q.C., makes statement.

Following witnesses sworn and examined :—

Rev. S. C. Hughes.
Alexander T. Smith, M.B.
Rev. Canon Leaper.

St Thomas's Parochial School. No appearance.

Ordered :—

That a summons to attend on Tuesday, May 13, at 11 o'clock, be issued and served on Rev. F. W. Gasco and Henry Harder, Esq., M.B.

GERALD MOLLOY.

May 13, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 13, 1886.

Assistant Commissioners held a Meeting.

Bertrand Orphanage scheme was further discussed.

GERALD MOLLOY.

May 13, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 14, 1886.

Assistant Commissioners held a Meeting.

Present:—Dr. TRAILL and Professor DOUGHERTY.

Dr. Trill and Professor Dougherty inspected the Drummond Institution and St James' Parochial Schools. They also visited the Royal Hibernian Military School.

GERALD MOLLOY.

May 18, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 18, 1886.

Assistant Commissioners held a Public Sitting.

Mr. C. Ryan, the shorthand writer, was in attendance.

National Schools, Lower Desanick-street.

Case adjourned generally on application of Mr. J. J. Shaw, B.L., the governing body to send in the heads of a scheme, after which day to be fixed for hearing.

St. Thomas' Parochial Schools.

H. Harden, Esq., U.R., appears on behalf of St. Thomas' Orphanage, is sworn and examined, and claims that endowment is exempt from the jurisdiction of the Commission.

Case ordered to stand over. Witness to send in statement of grounds on which he claims exemption.

GERALD MOLLOY.

June 7, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

May 18, 1886.

Assistant Commissioners held a Meeting.

Minutes of previous meetings read and signed.

Mercer's and Morgan's draft scheme was discussed.

GERALD MOLLOY.

June 7, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

June 4, 1886.

Assistant Commissioners held a Public Sitting.

C. Ryan, shorthand writer, in attendance.

Mary's-abbey Girls' School, and Meetinghouse-lane Presbyterian Boys' School.

James Henry, solicitor, appears for surviving Trustees, and claims that endowment is exempt from Act.

Mr. R. M'Mullen makes statement.

Case adjourned. Governing body to consider whether without having a definite decision in exemption question, they would be prepared to come in and have a scheme settled.

St. Catherine's National School, Meath-street.

Very Rev. Canon M'Manus, P.P., sworn and examined.

Declared:—

That the Act does not apply unless with the consent in writing of the governing body.

St. Catherine's Parochial Schools, Thomas-court.

Rev. A. L. Elliott sworn and examined, and claims exemption.

Case adjourned for consideration of question whether endowment is applicable and provided exclusively for children of one religious denomination.

Thomas Laffen, M.D., makes a statement, and is examined with regard to his views on the subject of Intermediate Education.

GERALD MOLLOY.

June 7, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

June 7, 1886.

Assistant Commissioners held a Public Sitting.

G. Ryan, shorthand writer, present.

St. Patrick's Cathedral Grammar School.

The Dean of St. Patrick's sworn and examined.

The Dean of the Chapel Royal makes statement.

Declared :—

That the Act does not apply unless with the consent in writing of the governing body.

Trinity-place Infant School.

Bindon Scott, Esq., solicitor, sworn and examined, and claimed exemption.

Rev. W. Marrahe and Rev. Mr. Fish made statements.

Case adjourned generally. Governing body to send in heads of scheme.

St. Andrew's Parochial Schools.

Rev. W. Marrahe, D.D., sworn and examined, and claimed exemption.

Case ordered to stand over for full Commission to be considered in connection with the other Protestant Parochial Schools.

St. Ann's Parochial Schools.

Very Rev. Dean of Chapel Royal, sworn and examined.

Case ordered to stand over to be considered with Ralph Macklin's Schools.

St. Michan's National Schools, North Anne-street.

Very Rev. Archbishop McMahon, sworn and examined, and claimed exemption.

Declared :—

That the Act does not apply unless with the consent in writing of the governing body.

St. Michan's Parochial Schools. Like rule as in case of St. Andrew's.

Royal Irish Academy of Music, and Coulson Bequest (adjourned sitting).

Sir F. W. Brady, Bart, Q.C., and Mr. A. F. Baker, represented the Academy.

E. T. Bowley, Esq., Q.C. (instructed by Mr. J. M'Sheehy), and Alderman V. R. Dillon, appeared on behalf of Corporation of Dublin.

J. T. Maxwell, Esq., Solicitor, on behalf of the Commissioners of Charitable Donations and Bequests.

Mr. William Gernon, Secretary, was also present.

Sir R. P. Stewart, Messrs. J. C. Culwick, Edward Houghton, and R. M. Levey, represented the musical profession.

The following made statements and were examined —

Sir R. P. Stewart.

Alderman Dillon.

George Cree.

Edward Houghton.

Mr. J. C. Culwick, sworn and examined.

Mr. William Gernon, made statement.

At the close of the inquiry Rev. Dr. Molloy made a statement as to the course to be pursued with regard to these endowments, that the Commission had now brought the preliminary inquiry to a conclusion, but they would not proceed to the preparation of a draft scheme until the proceedings now pending in the Vice-Chancellor's Court were brought to a close.

After public sitting, minutes of previous meetings read and signed.

GERALD MOLLOY.

June 8, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

June 8, 1886.

Assistant Commissioners held a Public Sitting.

C. Ryan, shorthand writer, in attendance.

St. Thomas' Parochial School, otherwise Gloucester-street Sunday and Daily Schools, otherwise Lady Harberton's Schools.

T. P. Law, Q.C. (instructed by William Fry and Son), appears for governing body, and claims exemption.

Mr. William Graham Brooke and Rev. Thomas Wallace, made statements.

The following witnesses sworn and examined :—

William Graham Brooks, M.A.
Rev. Thomas Wallace.

Declared :—

That, in subject any evidence that may be given in case of St. Thomas's Orphanage, the Act does not apply to this Endowment unless with the consent in writing of the governing body.

Christian Brothers' School, Basin-lane.

Very Rev. Morris Kennedy, F.R., was sworn and examined, and claimed exemption.

Declared :—

That, subject to production of will of Michael Keary, the Act does not apply to this Endowment unless with the consent in writing of the governing body.

St. Michael and John's National Schools, Essex-street.

Very Rev. P. J. Tynan, F.R., was sworn and examined, and claimed exemption.

Declared :—

That, subject to production of wills of James Walsh, Hugh Blyney, and James Gorman, the Act does not apply to this Endowment unless with the consent in writing of the governing body.

St. Brigid's Catholic Ragged School, Park-street. No appearance.

Assistant Secretary was directed to seek an interview with Miss Ayleward, 46, Eccles-street, with reference to this endowment.

St. Thomas's Orphanage.

Mr. James Orr, Q.C. (instructed by Mr. William Smith), and Henry Harden, Esq., LL.B., Secretary, appeared on behalf of governing body, and claimed exemption.

Declared :—

That the Act does not apply to this Endowment unless with the consent in writing of the governing body.

J. B. DOUGHERTY.

July 2, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

June 8, 1886.

Assistant Commissioners held a Meeting.

Merchant Tailors' Scheme discussed.

Minutes of June 8, read and signed.

J. B. DOUGHERTY.

July 2, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

June 9, 1886.

Assistant Commissioners held a Meeting.

C. Ryan, shorthand writer, in attendance.

Philaborough Sunday and Daily Schools, Blaquièrè Bridge.

Following witnesses sworn and examined :—

John W. Jennings, and
Rev. N. W. Carr,

They claimed exemption.

Case ordered to stand over for full Commission.

Alms-houses, Girls, Great Britain-street.

T. P. Law, Q.C., sworn and examined, and claimed that the endowment is exempt.

Declared :—

That the Act does not apply to this Endowment unless with consent in writing of the governing body.

St. Mark's Parochial School.

Rev. A. S. Fuller was sworn and examined, and claimed exemption.

Declared :—

That the Act does not apply to this Endowment unless with the consent in writing of the governing body.

J. B. DOUGHERTY.

July 2, 1886.

N. D. Murphy, Junr., Chief Clerk and Assistant Secretary.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

APPENDIX A. MINUTES OF EVIDENCE.

PUBLIC SITTINGS—TUESDAY, DECEMBER 15TH, 1885,

Dec 15, 1885.

At the Office, No. 25, Nassau-street, Dublin.

The Commission sat to hear and determine questions of jurisdiction raised on behalf of certain endowments, under the Educational Endowments (Ireland) Act, 1833, section 7.

Present:—The Right Hon. Lord Justice FITZGERALD and the Right Hon. Lord Justice NASH, Judicial Commissioners; and the Rev. GERALD MOLLOY, B.D., D.Sc., F.R.U.I.; ANTHONY TRAILL, esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, esq., LL.B., was in attendance.

QUEEN'S COLLEGE, CORK.

Mr. George F. Hart (instructed by the Crown and Treasury Solicitor) applied on behalf of the Crown for a postponement of case of the Queen's College, Cork.

Mr. John Roche, q.c., appeared on behalf of the President and Council of the College.

THE ERASMUS SMITH'S SCHOOLS.

Mr. John Newnall, Solicitor for the Governors, also applied for a postponement of the case of the Schools founded by Erasmus Smith.

The Commissioners fixed Friday, 8th January, 1886, at eleven o'clock, for the cases of Queen's College, Cork, and the Erasmus Smith's Board.

THE INCORPORATED SOCIETY.

The Incorporated Society.

Mr. Edmund T. Bealey, q.c. (instructed by Messrs. Henry T. Din and Son, Solicitors) was heard on behalf of the Incorporated Society for promoting English Protestant Schools in Ireland, claiming exemption from the operation of the Act under the 2nd and 8th subsections of section 7 of the Educational Endowments (Ireland) Act, 1833. The facts with reference to the Society were to be found in the Reports of the former Endowed Schools Commissioners. It was incorporated by Royal Charter, 7th George II., the 24th October, 1733. At that time, by the statute law both Roman Catholics and Presbyterians were incapacitated from teaching schools. The Society had its origin from Marshall, Bishop of Clogher, and was subsequently taken up by Primate Boulter, and the charter was given on a petition presented by all the Archbishops and Bishops of the then Established Church, a great number of the nobility and the judges of Ireland, and others, who sought not for any endowment but to incorporate a society capable of taking and holding lands, of receiving donations, and of establishing schools. Counsel referred to the charter which recited this petition, and—

"To the intent that the children of the People and other poor natives of our said Kingdom of Ireland, may be instructed in the English tongue, and in the principles of true religion and loyalty in all succeeding generations."

proceeded to incorporate a number of persons under the name of "The Incorporated Society in Dublin for promoting English Protestant Schools in Ireland." It enabled them—

"To take lands, to receive money to establish so many English Protestant Schools as they might think proper; to nominate and appoint fit and able persons to be approved and licensed by the Archbishops or Bishops of this Kingdom in their respective dioceses, to be schoolmasters and schoolmistresses of the same, and to continue schoolmasters and schoolmistresses therein during the will and pleasure of the said Society, to teach the children of the People and other poor natives of our said Kingdom the English tongue, and to teach them to read, especially the

Holy Scriptures and other good and pious books, and to instruct them in the principles of the Protestant Religion established in our said Kingdom."

They were in addition—

"To teach them to write, and to instruct them in arithmetic and such other parts of learning as to the said Society shall seem meet, and to bring them up in virtue and industry, and to cause them to be instructed in husbandry and homewifery, or in trades or manufactures, or in such like manual occupations, out of the funds aforesaid, providing for the said poor children or for such of them as by the said Society shall be judged proper, all necessary materials and utensils, as also Bibles, common prayer-books, and other pious books."

There were provisions enabling the society to sue and to be sued, to have a common seal, to appoint meetings, to elect officers, to make bye-laws to be approved of and confirmed by the Lord Primate or one of the Lord Archbishops for the time being, and one of the Lord Chief Justices or Chief Baron for the time being. They were originally without any endowment whatever, but the promoters contributed large sums to establish schools throughout the country. King George II. contributed £1,000 from his privy purse. They had attained such success by the middle of the eighteenth century that the Irish Parliament commenced to give them special grants, by 18th George II., cap. 5, and granting statutes of a temporary nature, continued almost down to the time of the Union. From time to time various estates were given to this society, of which the first was devised by the Earl of Ranelagh.

In 1760 the estates granted by the Earl of Ranelagh for the support of charity schools at Roscommon and Athlone, were by Act of Parliament vested in the Incorporated Society. This first endowment was followed by other gifts; amongst others Forde, Bishop of Osnabruck, left all his estates, real and personal, to the Incorporated Society "for founding a school for Papist boys, to be bred to linen weaving and instructed in the principles of the Protestant religion," and if any other religion should at any time be

Dec. 12, 1855.
The Incorporated
Society.

established than the Protestant religion, then he left the whole for such time to Swift's Hospital.

All children who were admitted were necessarily, according to the terms of the Charter, trained up and instructed "in the principles of the Protestant religion established in our said Kingdom." It appeared from the evidence taken before the former Commission (1863, vol. 2, pt. 2, p. 235) that before receiving any Roman Catholic child into the institution a declaration had to be made by the parents, stating that they most earnestly entreated that the child might be admitted into the Protestant Charter School, and adding, "I do hereby give my full and voluntary consent to his (or her) being educated in the doctrine and principles of the Protestant religion."

From the passing of the Catholic Emancipation Act, the character of the schools was changed. The Government grants were finally discontinued in the year 1832. These grants were diminished from £19,560 in 1833, to £5,750 in 1838, when they were finally withdrawn. The society now had no endowments whatever, except those of private origin derived from Protestant benefactors.

At one time the society were anxious in the day schools not to insist on the education of Roman Catholics in the Protestant religion, and consulted the Attorney-General, Mr. Smith, as to whether they might dispense with that condition in the case of the children of Roman Catholic parents attending their day schools. They were advised that they could not do so. The opinion was as follows:—

"The primary object and the very principle of the Charter by which the society is incorporated being to educate the children of the Roman Catholic natives of this country, as well as others, in the principles of the Protestant religion, and that being the purpose for which they have been empowered to purchase and take estates and property, I cannot venture to say that the establishment of any school under the society in which that primary object of education should be abandoned, would not be an infringement of the Charter. On the contrary, it appears to me that, under the existing Charter, the education in the principles of the Protestant religion is an indispensable part of the system of education to be adapted in the schools of the society, though in all other respects subject to be regulated according to the discretion of the society."

Thus by the original constitution of the society, by the charter, by the practice of the society from the earliest time down to the present, no children had been educated except as Protestants. When the restrictions on education by Roman Catholics were removed, it became difficult to fill the schools with Roman Catholic children, and consequently from time to time the number of Protestant children in the schools, especially in the boarding schools, increased, so that practically from and after the passing of the Catholic Emancipation Act no Roman Catholics were educated in the boarding schools. If any were educated in the day schools they were educated as Protestants. The transition from a proselytizing institution to an institution essentially for the education of Protestant children was set out in the report of the Commission of 1865 (vol. 1, page 14 and page 50). In 1868 the Commissioners pointed out how flourishing the institution had become after this change in its nature. Certain recommendations were made by the Commission (vol. 1, page 180), none of which sought to interfere with the then character of the schools. At page 93 they mentioned that—

"The society devoted their exertions to turning the great charity they had charge of to the best account for the benefit of those who could conscientiously avail themselves of it upon the exclusive religious principles on which it was founded. The institutions of the Incorporated Society were the only schools in which we found the free places all filled up, and all given on a system that seemed to those intended to be benefited the full and fair enjoyment of their rights."

Accordingly the report stated these schools were in a high state of efficiency. The suggestions made by the report had been carried out, but it was never proposed to alter the fundamental character of the institution. From the first the schools had been exclusively and essentially Protestant schools, "Church schools," and the children had been educated essentially as Protestants in these schools. Counsel also contended that the endowment was within section 7, sub-section 1, "society or mainly applicable or applied for purposes of theological instruction." He contended that the governing body was necessarily Protestant, and referred to the provision of the charter that the masters should be "approved and licensed by the Archbishops or Bishops of this Kingdom in their respective dioceses." The ex-officio governors were at the time Protestants of the Established Church. Amongst the exemptions were endowments provided exclusively for any particular denomination, and under the exclusive control of persons of that denomination; where persons of one denomination had an institution under their own control entirely and exclusively for their own benefit they were domestically treated as being outside the Act.

The Rev. John W. Hackett (Secretary) said that the judges never attended. They were summoned; but one of the Roman Catholic judges, not long ago, had said he did not think he had any right to appear there at all, that it was exclusively a Protestant institution.

Mr. Bealey.—If they attended it could be only as trustees on behalf of an essentially Protestant institution, and to carry out the trusts of the charter.

Mr. James Shaw appeared on behalf of the Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland. He said that the observations made by Mr. Bealey were more applicable to a discussion on the nature of the scheme than on the question of exemption. The endowment was not provided exclusively for the benefit of persons of any particular religious denomination, but for the poor natives, especially those belonging to the Popish religion, and all children who were poor, and desirous of being taught the English tongue were to have the benefit of it, with the concomitant teaching of the principles of the Protestant religion as then established. He quoted the reports of the previous Commissions to show that the foundation had been not only applicable, but applied to the benefit of persons of other religious denominations. The governing body of this society now comprised a considerable number of persons who did not belong to that particular religious denomination, the Episcopalian form of the Protestant religion; some of the ex-officio members were Roman Catholics or Presbyterians, or of other forms of faith. They sat on the board and had the power of governance, and could not be excluded from control. The object was not theological instruction.

The Recorder of Dublin (T. R. Falkiner), the Ven. J. G. Scott, Archbishop of Dublin, and W. G. Smith, esq., appeared to represent the Standing Committee of the General Synod of the Church of Ireland.

The Recorder addressed the Commission, and contended that the design of those who founded the Incorporated Society's schools being *de propaganda fide* from the Protestant side, the endowment was for the benefit of that denomination, and on the reasonable interpretation the 6th sub-section of the 7th section applied.

The Commissioners reserved judgment until Thursday morning, at eleven o'clock.

The Commission then adjourned to next day.

WEDNESDAY, 16TH DECEMBER, 1885,

At the Office, No. 23, Nassau-street, Dublin.

Dec. 16, 1885.

Present:—The Right Hon. Lord Justice FITZGIBBON, and the Right Hon. Lord Justice NASH, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., B.Sc., F.R.C.I., ANTHONY TRAILL, esq., LL.D., M.D., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, esq., LL.B., was in attendance.

THE HIBERNIAN MARINE SOCIETY.

Mr. J. J. TWISS, G.C. (instructed by Messrs. Fywell and Stansell) appeared on behalf of the Hibernian Marine Society, who claimed to be exempted under the 7th section of the Act, on the ground that the Society was established exclusively for the benefit, and was exclusively under the control of members of the Church of Ireland.

The Hibernian
Marine
Society.

Counsel stated that the endowment was established about the middle of the last century by certain gentlemen who embodied themselves under the name of "The Marine Society of Dublin," in order by voluntary subscriptions to encourage men and boys to enter His Majesty's Fleet. They collected a sum of money for that purpose, and after the war ceased, a nucleus of that fund remaining, they wished to put it to more permanent use in connection with the original purpose, and obtained a charter from George III., in 1775.

Counsel referred to the charter, which laid down that the children were to be taught to read, especially the Holy Scriptures, and instructed in the principles of the Established Protestant religion, prescribing the duties of the different officers of the Society. The duty of the chaplain was to have prayers according to the rites and ceremonies of the Church of Ireland read, a sermon preached every Sunday, Christmas Day and Good Friday, the Sacrament of the Lord's Supper administered in the chapel on Christmas day, at Easter and Whitenside, and such other times as convenient, to catechise the children monthly at least, to attend those ill and in danger of death, for which he was to receive a salary not exceeding £40.

The existing Governors were all members of the Church of Ireland, with the exception of one or two of the ex officio members, the Lord Lieutenant for the time being, the Archbishop of Armagh, the Lord Chancellor, the Archbishop of Dublin, the Speaker of the House of Commons in Ireland, the Members of Parliament, and Lord Mayor of the City of Dublin, the Senior Master of the Guild of Merchants of Dublin, abolished, and the Archbishop of Dublin. The Committee of fifteen appointed under the charter were the real directors, and were all members of the Church of Ireland. No Roman Catholic Lord Mayor, since the passing of the Municipal Corporations Act, had ever been summoned or attended. The Municipal Corporations Act, the 3rd & 4th Vic., c. 105, s. 112, made provision for the preservation of exclusive charitable trusts at sec. 113. Special sections provided for the Bluecoat Hospital and Erasmus Smith's schools.

As showing the object and intentions of the Legislature, the principle observed by the Court of Chancery in the appointment of trustees was always to appoint trustees of the religion for which the charity was established. *Baker v. Lee* (8 H. L. 403.)

There had been a grant from Parliament, but it ceased many years ago.

Counsel landed in the form of application for admission, requiring a bond for obedience and good conduct, and a statement of the religion of the parents and guardians.

Lord Justice FITZGIBBON.—Your notice is "The governors will meet on the 2nd November, to elect one of decayed seamen, being Protestants." That does not limit them to members of the Church of Ireland.

Mr. TWISS.—It does not. When Protestants come to enter, they must get a recommendation and produce certificates.

Lord Justice NASH.—Are there any books kept showing the religious denominations of the parents of the children?

Mr. TWISS.—There is a register kept by the master, but the register tells us that there is no registration of the religion of the child.

Lord Justice FITZGIBBON.—Produce your minute book with the admission of the boys, and the forms of application in the case of the boys now in the school.

Rev. Dr. MOLLOY.—Do you contend, Mr. Twiss, that because this endowment was founded for the purpose of teaching the Protestant religion, therefore it was intended exclusively for Protestants?

Mr. TWISS.—I do. I think that was the principal object of the charter.

Rev. Dr. MOLLOY.—Do you take into account the views and opinions that prevailed at the time the charter was granted.

Mr. TWISS.—No. I do not. I take into consideration what must have been the intention of the founder. You arrive at that by the directions given.

Rev. Dr. MOLLOY.—You coincide that because it was intended to teach the Protestant religion, therefore it was intended exclusively for Protestant children.

Mr. TWISS.—I do.

Rev. Dr. MOLLOY.—What do you say to this positive direction in the charter—"For establishing a nursery for the children of those seamen who have perished or become disabled by age." If it was intended exclusively for Protestants, would it not have said "of those Protestant seamen who have perished, &c.?"

Mr. TWISS.—You must look at the whole charter together. They had to be educated in the Protestant religion.

Lord Justice FITZGIBBON.—It is an elementary charity intended for the benefit of children of decayed seamen. There being then an established church, the charter goes on to provide, as they did in all the poor-houses, infirmaries, and so on at that time, that the religious instruction should be of that particular form. It would appear that down to 1830, you were often supported by public money. That aid was withdrawn in 1830, and the report of 1855, says that a school for the children of seamen ought to be established, but that before this could be done provision should be made to alter the clause. Instead of acting on that recommendation, the State withdrew altogether and left a number of private individuals to support the charity. It occurs to me that you are now the trustees of private property which has been administered under this charter which originally had a much wider scope. Ought you not to make your charity a private charity in accordance with your own intentions. Your argument is powerful to show that your charter is not in accordance with your existing management. Once we come to the conclusion, if we do, that the main object of this charity was to provide for the children of decayed seamen, their religious denomination becomes an accident.

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The Education
Committee.

Mr. Feigg.—I would ask your lordship to remember that this is not a State grant; the whole of it is private.

Lord Justice Fitzgerald.—That is the very reason for requiring in your own interest re-organization and settlement. How do you apply what has happened in the Hibernian Military School? Its character was the same as yours. They went on receiving Catholic children as well as Protestants of all denominations down to 1846, and then they got authority to alter the regulations so as to enable children to attend divine service and receive religious instruction in their own denominations. Would not that go to show that they applied the charity for the benefit of children of all religious denominations, and treated religious instruction merely as a part of their education.

Mr. Feigg.—They saw that their scheme was too narrow, and accordingly applied to extend their system, and on that their State grant was continued; from us on the contrary, the State grant was withdrawn. In 1861, under 234, Sir John Monell laid down the first principles applicable to these charities. His decision is that the intention of the founder was to be carried into effect so far as they are capable of being so, and if he has directed that only persons conforming to the Church of England shall be the recipients of his bounty, the will must be followed. If a charity be devoted to some religious purpose, or to promote religious education, and if in addition to this the intention of the founder is not clearly expressed, the opinion and religious tenets of the founder have a most logical bearing on the question. It is not public money, it is his own money he is dealing with.

The terms of admission were produced.

Lord Justice Fitzgerald.—I see that a good many of those children are not members of the Church of Ireland. They almost all put down the religion as Protestant, but some of them add "Church of Ireland." Some put "Church of Ireland" only. One, James Mill, is put down as "Protestant," and there

is no certificate of his baptism, but only a certificate from the Register of Births. Some are entered as attending the Abbey-street Sunday School, which is not a Church of Ireland School. Another child is admitted whose parents and guardians are Protestants, and his certificate of baptism is signed by a Wesleyan minister. Accordingly the candidates must show themselves to be Protestants, but not any particular denomination of Protestants. A considerable number belong to other Protestant denominations than the Church of Ireland. Without mentioning names, are you prepared to say that all those now on the roll are members of the Church of Ireland?

Mr. Feigg.—I am not.

Mr. J. J. Shaw, appeared for the Intermediate Education Committee of the General Assembly. He contended that the primary object of the institution was to provide for the education of the children of decayed seamen, to provide young boys to be prepared for the navy or merchant service, and that it was not limited to any particular religious denomination. Part of the practice was that they were trained in the Protestant religion, but that was a necessity of the period. This was not an institution for the benefit of any particular religious denomination, and was not under the exclusive control of members of any particular religious denomination, because any subscriber of a certain sum became *ipso facto* qualified to be elected a member of the board. The Report of the Commission in 1881 states—The affairs of the charity were managed by a Board of Managers. Some were elected by ballot; some were life members, the qualification for whom was a donation of twenty guineas, and others were annual members, the qualification being a subscription of one guinea. The number of members was stated to be unlimited.

Lord Justice Fitzgerald.—We are going to mention to-morrow our decision in another case, which is many of its conditions similar to this, and will dispose of both together.

The Claremont
Institution.

THE CLAREMONT INSTITUTION.

The Very Rev. H. H. Dickinson, Dean of the Chapel Royal, as one of the Honorary Secretaries of the Claremont Institution for the Deaf and Dumb, mentioned that the committee had decided to send in a provisional notice claiming exemption. They were not anxious for alteration except to be relieved from some cumbersome provisions of a scheme settled under the Court of Chancery in 1877.

Lord Justice Fitzgerald.—The powers under this Act are greater than those of the Court of Chancery. We might amend your powers, but cannot do so if you persist against our meddling with you at all.

The Dean.—The majority of the committee are in favour of claiming exemption. I, personally, do not share their views.

Lord Justice Fitzgerald.—If you were not a little afraid of us, you would be glad to take advantage of us.

The Dean.—Yes, we are contented as we are, and we are a little afraid we may be interfered with, but we think we have a great protection in the existence of the O'Brien Institution, which is in the same condition as we are. Our institution was founded originally and entirely out of voluntary contributions of members of the Church of Ireland.

Lord Justice Fitzgerald.—As you have mentioned O'Brien and Claremont, I may, speaking unofficially, say that in the case of boarding schools or institutions such as yours, where religious instruction is given, we are in no respect inclined to any un denominational scheme of management, and if we find a really good school, practically belonging to one denomination, and the other denominations fairly provided for by other

schools of a similar kind, we should be very slow to destroy their representative character. But what is the point on which you claim exemption?

The Dean.—We were advised that the rectory of the scheme of the Court of Chancery would be a protection to us.

Lord Justice Fitzgerald.—It is a judicial decision of recent date as to what is best for you, to which we should pay every possible respect. We have enough to do with obsolete institutions, without going through recent schemes. If we find that you do not want your change, we should probably be satisfied with your scheme. But if you have found that it would be an advantage to be incorporated, and to introduce your modifications we should be glad to assist you, if we can.

Lord Justice NAIRNE.—Your governing body must be altogether Church people!

The Dean.—They are, and have been from the beginning. For some time ours was the only institution for the deaf and dumb poor of Ireland.

Lord Justice Fitzgerald.—You need not trouble yourself on the second ground. It is provided that the trustees and members of the committee shall be members of the Church of Ireland, but what about your children?

The Dean.—As to the inception of the institution, there was no institution at all for the education of the deaf and dumb poor of Ireland, when Dr. Barrett had this institution founded. It was thought then, and justly, to be a very liberal thing, when there was no education for the Roman Catholic and Presbyterian poor of Ireland, to exclude them. They

were received on the application of their parents and guardians, and they were educated in the principles of the Church of Ireland alone. Of late years, following our good example, an institution was founded at Calcutta, which is very well conducted, and receives and educates Roman Catholic children. Similarly there is an institution for Ulster at Belfast, wherein children are educated as Presbyterians for the most part. Claremont Institution now goes on its own original lines, although nominally and theoretically children are admissible of any denomination on the application of their parents and guardians. We make no effort to take them in.

Lord Justice FRYGROVE.—Do you get children of other Protestant denominations?

The Dean.—I do not know, they are certainly not excluded, and I do not suppose it would be considered a Christian improvement in the institution to make any absolute exclusion. I do not think it would look well in our eyes to say, that a deaf and dumb child of any religion should be excluded. The money of the Society arises from accumulated legacies.

Lord Justice FRYGROVE.—You have no public funds?

The Dean.—No.

Lord Justice FRYGROVE.—It may save some trouble if we mention our views on the subject, and it may also relieve some apprehension with regard to other cases of this kind. You get recently issued by judicial authority, a scheme for your management which provides that all the trustees and members of your committee shall be members of the Church of Ireland. Therefore, you have an exclusively denominational governing body. You tell us that all your endowments consist of private benefactions, all of which come from Protestant sources, or were given to you when you were known to be a Protestant Institution and that they were unquestionably devoted to a Protestant object. It appears that you open your doors

to children of all religious denominations, but do not seek for any except those belonging to your own denomination. Under these circumstances, you have recently—in 1883—received a Chancery scheme; we are not minded to suppose that you are within the exemption, because your property is not exclusively applicable, nor is it exclusively provided for the children of any particular denomination. You therefore, do not satisfy the condition of exemption; it will be for you to consider whether you will take advantage of the powers which now exist to incorporate your governing body, so as to relieve yourselves for ever from the necessity to appoint new trustees, also whether you desire to obtain any modification of your existing scheme which you may now make equivalent to a parliamentary charter. If you desire to effect this object you can lodge a draft scheme before 31st January. We have consulted about your position, and having regard to the existence of the Calcutta and the Belfast schools, and also to the circumstances of the Claremont Institution, it is not an institution with which we are inclined to meddle, though we must rule that the Act applies to it. We say no more judicially at present.

The Dean.—It was quite my feeling that that would be your view, I personally was inclined not to claim exemption, but the committee thought right to do so. I thought we could not claim to be exempt, and speaking for myself, I am quite willing to propose to the committee to adopt the suggestion you have made.

Lord Justice FRYGROVE.—At present we must rule that the Act applies to the Claremont Institution. We say no more judicially, but we have thrown out to you what our real functions are. We are a mixed Commission; it is our duty to do justice to all denominations, according to those who belong to any particular denomination wherever they belong to it.

The Dean.—We shall consult as to sending in a scheme.

Dec. 11, 1915.

The Claremont Institution.

THE SINGLETON SCHOOLS AND THE UNITARIAN SCHOOLS, STEPHEN'S-GREEN.

Mr. E. W. Singleton, q.c. (instructed by Messrs. Hone and Faldut), appeared on behalf of the Governing Body of the Unitarian Schools, Stephen's-green, the Singleton Female School in connexion therewith, and the Stephen's-green Congregational Male School, formerly of Strand-street, to support their claim for exemption.

The Singleton Schools and the Unitarian Schools, Stephen's-green.

The Singleton Female School was a school for the education of poor girls, endowed by Mrs. Hannah Singleton, who by her will, dated 31st May, 1780, devised certain property for the support and education of such poor girls as should belong to the dissenting congregation of Rutland-street Church. The bequest being inadequate to support a school, a subscription was made by the members of the congregation in April, 1793, which enabled them to open a school in that year. These subscriptions were consolidated with the original gift, and the school continued open until 1803, when it was suspended to allow its property to accumulate. On 5th March, 1807, the trustees of the fund submitted a statement to the vestry of the congregation, by which it appeared that the landed property belonging to the trust for the support of a female school then yielded an annual income of £181 2s. 3d. The consideration of whether or not the school should be opened was deferred, and a committee was appointed to investigate several matters connected with it. It appeared by the minutes of the vestry of 18th April, 1817, that the income arising from the property left by the founder and from the subscriptions had increased sufficiently to allow the school to be re-opened, and accordingly it was re-opened on the 18th August, 1818. Rules were made by the vestry on that occasion, which they declared should be considered fundamental, and not to be departed from unless with the consent of a general meeting of the congregation

only summoned for that purpose. These rules provided:—

"1st. That pursuant to the will of Mrs. Hannah Singleton, the school should be a boarding school, Upper-quay being of that description, reserving, however, the power to convert a day-school, a part of the present fund having been raised by subscription as distinct from Mrs. Singleton's bequest.

"2nd. That there shall be clothed and maintained and educated there as many poor girls as the fund can support.

"3rd. That in compliance with the tenor of the will, poor girls belonging to the congregation shall always be preferred in admission.

"4th. That built upon the solid foundation of a religious Christian education, the course of instruction be such as shall render the children clean, active, humble, and intelligent servants, and by thus qualifying them for the performance of all domestic duties, enable them respectively to earn their livelihood, and fit them for such situations in life as they may subsequently be placed in."

The school was established and conducted in conformity with these rules, until 1851, when it was discontinued in consequence of a considerable portion of the funds having been applied to the liquidation of the costs of law proceedings directed by the Attorney-General relative to the funds of the congregation, which proceedings were terminated by the passing of the Dissenters' Chapel Act. In the year 1835, the funds of the female school were augmented by a donation of £10 from Mr. Ogilby, a bequest of £20 from John Leeson Maquay, and a bequest of £22 6s. 3d

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The Stephen's-green and the Unitarian Schools, Stephen's-green.

from Edmund Johnston, all members of the congregation. The school was re-opened in the year 1838, at 28, Summer-hill, Dublin, where it had since continued under the supervision of a committee of ladies, subject to the control of the managing committee of the congregation. The present trustees were Arthur C. Taylor, William A. Digby, John Barton Hutton, and Leoline O. Hutton, members of the congregation, and appointed by the congregation. The trust funds consisted of the lands of Gurias, containing 84a. 3n. 13r. statute measure, Upper and Lower Kilmaheld, containing 182a. 3n. 26r. statute measure; rent of £50 late currency out of premises in Dame-street, Syamcorally, and other premises in the city of Dublin; £650 Bank of Ireland stock; one-third of a sum of £450 same stock; £3,753 8s. 8d. now three per cent stock; £3,100 portion of a mortgage of £5,000 secured on lands in the county of Tipperary; the house and premises No. 28, Summer-hill, Dublin. The trustees considered the school exempt under sub-clause 6 of section 7. They wished to claim the exemption, but at the same time did not wish to be precluded from submitting a scheme hereafter if they deemed advisable, reserving their right to withdraw the same if not agreed to, or if any objectionable provisions were inserted therein.

Lord Justice NABH.—What is the nature of the Dissenting Congregation of Eustace-street?

Mr. Skelton.—Unitarian. They have removed from Eustace-street to Stephen's-green.

Lord Justice NABH.—Is this school at Summer-hill distinct from the school at Stephen's-green?

Mr. Skelton.—Quite distinct.

Lord Justice FRIZGROVE.—In the report of 1880, it is stated that there were fourteen boarders, there being no restriction of religion, except not to be Roman Catholics. Is that under your regulations?

Mr. Skelton.—Mr. Hutton states, that no girl is admitted who is not a member of the Unitarian body. The directions of the will were, that it was to be for children of the congregation, and that poor girls belonging to the Dissenting congregation of Eustace-street should be preferred. Mr. Hutton states, that no girl is admitted who is not a member of the Unitarian congregation.

Lord Justice FRIZGROVE.—It is one of those cases in which you ought unquestionably to get incorporated. You have scattered properties and sums of money lying about in different hands.

Mr. Skelton.—The next school is the male school in connexion with the Stephen's-green congregation. It is under the entire control and management of the congregation. It is not known at what period the school which is represented now by the one in connexion with Stephen's-green, and was formerly at Strand-street, was commenced, but it was in existence before 1770. At that time the school was very small and limited in its operations, confined to the granting of extern assistance only. By the original scheme, twenty-four boys were to be taught and clothed at the expense of 17s. 6d. a year for each boy, and the school was to be supported by the voluntary subscriptions of such members of the congregation as chose to give £2 per annum, and should say deficiency arise in any year, the balance was to be made up by public collection on the preaching of a charity sermon. At that time there was a sum of £300 belonging to the charity invested in Turnpike debentures, which had been raised by such voluntary subscriptions and collections made at these charity sermons. A number of small sums were given from time to time by various persons, but the principal source of income was the annual charity sermons. It appeared from the account books of this school, that various sums had been bequeathed to the charity, and that these sums were partly spent and partly invested, according to the state of the funds when the amount was received. All these bequests were made by members of the congregation, except a sum of £10 bequeathed by Mr. Turbett. The congregation and the school connected with it

were transferred from Strand-street to Stephen's-green, about the year 1806. Since that time the only further endowment, was a sum of £321 4s. 1d. received in 1876, being portion of a sum bequeathed by Mrs. Anne Fisher to her trustees, to be paid or transferred to the congregation of the Protestant Dissenters of the Presbyterian or Unitarian denomination assembling in the chapel in Strand-street, and to be by them "invested in such securities as the congregation should direct," and "the income to be applied as the congregation should from time to time determine towards the support of a school or schools connected with the same congregation or for any other purposes of education." Then there was a third school representing the old Eustace-street school, but it hardly seemed a case in which exemption could be established, as all religious denominations were admitted.

There was also an apprenticeship fund; the origin of the foundation was a bequest by John Lawton by will dated 17th October, 1741, of a house situate in Clothworkers'-square, left on trust that the profits should be paid in such shares and proportions as the trustees should think fit, and to such poor boys belonging to the Charity School of Eustace-street Congregation when out of their apprenticeship towards setting them up in their respective trades. This house had for a long time been unproductive and the interest therein had been lost, but as the trustees for several years had no cases coming within the terms of the trust the other funds had accumulated, and now amounted to £1,689 17s. 6d. now three per cent stock standing in the names of trustees all belonging to the Eustace-street Congregation.

Lord Justice FRIZGROVE.—Do I understand that the former Eustace-street school, which is an infant school, and the Eustace-street school are under the same management?

Mr. Skelton.—They are under the same management but the rules are different. This school is in fact a tenant of the Stephen's-green Congregation, and pays a certain sum annually as a rent. The two schools belong to the Stephen's-green Congregation. In May, 1847, it was resolved to open a day school, and as the former school-house was not suitable for the purpose intended it was necessary to build a new one. Accordingly a lease of ground was taken in Eustace-street for the trustees of Danvers's fund at the annual rent of £15, and a school-house was erected there at an outlay of £700. A master was appointed at a salary of £40 a year. In July 1848, regulations for the management of the school were adopted. The system on which it was to be conducted was that the school should be devoted to the purposes of secular education alone, and should be open to all religious denominations; that although no religious creed was to be taught in the school, every facility should be afforded to the children to enable them to attend such religious instruction as their parents or guardians might approve at other times and places; and that the books used in the school should be selected from those published by the National Board of Education. In June, 1848, it having been reported that sixty pupils were attending the school the desirability of separating the pupils into classes began to become apparent, and accordingly in June, 1852, it was resolved that a daily infant school should be opened in connexion with the establishment in Eustace-street to be held in the upper school-room, and, until the number of male infants should exceed the possibility, that female infants should be admitted. This daily infant and female school is still in operation.

Lord Justice FRIZGROVE.—I observe that the second rule states, "That although no religious creed be taught in the school every facility will be afforded to the children to enable them to attend such religious instruction as their parents or guardians approve at other times and places." It seems to have been very much on the principle of the National Schools.

Mr. Skelton.—Yes, that is one of the provisions.

Lord Justice Fitzgerald.—If we have to settle a scheme for you it would be very unwise for you not to combine the management of these other trusts.

Mr. Shelton.—They want to keep the two schools separate and distinct in order that at any time they may get rid of this school and have their own.

Rev. Dr. Molloy.—You claim exemption for two schools, but not for the third?

Mr. Shelton.—Yes.

Lord Justice Fitzgerald.—I suppose your yearly income consists of subscriptions from the congregation?

Mr. Shelton.—Yes, and accordingly they want to keep the Stephen's-green school distinct for themselves.

Rev. Dr. Molloy.—Are there separate buildings for the schools?

Mr. Shelton.—They are under the church, but they are separate.

Rev. Dr. Molloy.—Are the endowments distinct?

Mr. Shelton.—The endowments are quite distinct.

Lord Justice Fitzgerald.—Your funds are different. One of the objects of this statute is that endowments should be amalgamated. It is for you to consider whether that should be done in this case.

As regards the Singleton School we are all agreed that the Act does not apply unless the governing body consent. As to so much of the endowments now enjoyed by the Stephen's-green Congregation as originally belonged to the Somerset School, the Act does apply without such consent. As regards the endowment for the school formerly in connection with the Unitarian Congregation of Strand-street, and any additions made thereto, the Act does not apply without consent. You can give the consent at any time during three years. As regards the other you must bring in any proposed draft before the 31st January. The apprenticeship fund is plainly an open fund. The governing body can consider whether they will propose any amalgamation.

Dec. 14, 1885
The Stephen's
Schools and the
Unitarian
School,
Stephen's-
green.

THE BERTRAND FEMALE ORPHAN SOCIETY.

Dr. Thomas Dick.—As secretary of the Bertrand Female Orphan Society, I come before your lordships to claim exemption for our school.

Lord Justice Fitzgerald.—What is the particular religious denomination? Is not your institution for the children of Presbyterians and Church of Ireland people?

Dr. Dick.—That is so.

Rev. Dr. Molloy.—"Particular religious denomination" is the expression in the clause allowing exemption. You would not control that members of the Presbyterian Church and members of the late Established Church belong to the same religious denomination?

Dr. Dick.—No, not in that sense. As a matter of fact the governing body includes two Presbyterian ministers.

Lord Justice Fitzgerald.—"Particular religious denomination" must mean some such denomination as Presbyterian, or Unitarian, or Church of Ireland, or

Roman Catholic; otherwise, if Protestant is a particular denomination as is Christian. The will is quite clear, all the objects of the charity, and all the governors of the charity are to be Protestant, but it is equally clear that they may be of various denominations. That would show your school to be within the Act. You got a scheme very recently. If you want any modifications you can get them, and also I suppose you could rectify the difficulty about "the minister for the time being" which prevented the succession of Presbyterian ministers on the governing body. What is the nature of your funds?

Dr. Dick.—They are in the hands of the Commissioners of Charitable Donations and Bequests.

Lord Justice Fitzgerald.—We must rule that the Act does apply to this Bertrand Asylum, and it will be for you to consider whether you will lodge a scheme or not before the 31st January. You may take the one you have as the basis of any scheme you frame.

The Bertrand
Female Orphan
Society.

PLEASANTS' ASYLUM.

Rev. J. C. Carleton, B.D., one of the Trustees of Pleasants' Asylum.—We claim exemption for Pleasants' Asylum on two grounds, first, that it is a charity founded for persons of a particular religious denomination, and under the exclusive control of persons of that denomination; and secondly, that a part of this endowment is given for charitable uses.

Lord Justice Fitzgerald.—All the endowments we have to deal with are for charitable uses.

Rev. Mr. Carleton.—By the fourth sub-section of section 7, it is provided that the Act shall not refer to an endowment or part of an endowment given to charitable uses.

Lord Justice Fitzgerald.—"After the passing of this Act."

Rev. Mr. Carleton.—The institution is within the 4th clause, being applicable entirely for a particular denomination and under the exclusive control of persons of that denomination. The funds are derived from a bequest of Mr. Pleasants, who, by his will, made in 1818, left his house in Camden-street and certain endowments "for the maintenance, clothing, and appropriate education of poor orphan Protestant girls—none but Protestants." By Protestants he meant what is now called the Church of Ireland. He says "they are to be of sound Protestant stock by the father and mother's side, Bride's parish to have the preference, Peter's the next, and afterwards from any other, on producing an authentic certificate, subject to the

approval of the Governors, from the Minister, Curate, and Church Wardens of it." The charity was to be managed by three curates of approved conduct; the first two were executors of his will, and he provided that the succeeding trustees should always be curates in Dublin.

Lord Justice Fitzgerald.—This will was before the Master of the Rolls, who held that they, the curates, were objects of the bequest. He intended the charity not only for the benefit of the orphans but also of those poor curates who had little or no income, and two ladies of reduced income.

Rev. Mr. Carleton.—The fund is £30,505 6s. 7d. Government 3 percent stock. The money is paid out of Chancery. I produce the minute book from the commencement of the institution. At the first meeting of the Governors on the 25th March, 1818, it was "Resolved unanimously that the institution be named Pleasants' Asylum" for female orphan children who are to be Protestants and children of Protestant parents, as directed in the will." April 3rd, 1818, "Resolved that a copy of such part of the will as relates to this institution be sent to the Curates of St. Peter and St. Bride's parishes." 13th August, 1818, rules were laid down for the management of the institution. The children were to hear prayers, the psalms and the lessons for the day, and learn the Church Catechism every day. They were to attend Divine Service at St. Bride's Church every Sunday.

Pleasants'
Asylum.

Dec. 16, 1885.
 Protestants
 Assizes.

The Governors had always been mixed, and the children had always been brought up in connexion with the Church of Ireland, and the whole scheme of the school had been drawn up in accordance with that intention. At present they were attending St. Peter's Church.

Mr. Shaw contended that the founder intended the charity for the benefit of Protestants generally, and that there was nothing in the will confining the word "Protestant" to one denomination. It was particularly clear from the evidence taken before the former Commission, that the original object of the institution had been lost sight of altogether.

Lord Justice FRYGIMON.—I think it was inevitable. The endowments became £1,200 a year, and could not be spent on the inmates of the house without giving them a higher class of education.

Mr. Shaw.—That shows that it is absolutely necessary that there should be some modification made to suit the exigencies of the present time.

Rev. Mr. Carleton.—We claim exemption.

Lord Justice NAIRN.—You say it was originally intended for the Church of Ireland?

Rev. Mr. Carleton.—Yes.

Rev. Dr. MOLLOY.—Has it been altogether applied for the benefit of children of that Church?

Rev. Mr. Carleton.—It has.

Lord Justice NAIRN.—How are the children admitted?

Rev. Mr. Carleton.—By election.

Lord Justice NAIRN.—Who elects them?

Rev. Mr. Carleton.—The governors.

Lord Justice FRYGIMON.—Have you got a register?

Rev. Mr. Carleton.—We have.

Lord Justice FRYGIMON.—How far back does it go?

Rev. Mr. Carleton.—To the beginning of the school.

Lord Justice FRYGIMON.—We ought to see it. What form of application do the children make?

Rev. Mr. Carleton.—There is a printed form. Are the father and mother members of the Church of Ireland in one of the questions asked?

Rev. Dr. MOLLOY.—Historically the word Protestant would include all the different denominations of Protestants. The burden of proof here, therefore, would fall on those who want to restrict it to one denomination. The evidence that you have given that the trustees were of one denomination has some

weight. Can you give any other evidence in the same direction?

Professor DOUGHERTY.—It is significant, also, that the testator uses the term "Sound Protestant."

Rev. Mr. Carleton.—In Mercer's Hospital patients of the Church of Ireland have "Protestant" put up; Presbyterians, "Presbyterian," and "Roman Catholics" over Roman Catholics.

Rev. Morgan JONES.—It is the same in the Government schools. There are three denominations—Protestant, Presbyterian, and Roman Catholic.

Rev. Dr. MOLLOY.—If we had evidence of that kind affecting the time the will was made it might be to the point.

Lord Justice FRYGIMON.—*Prima facie* it was the intention of the Act of Parliament that none should be exempt.

Professor DOUGHERTY.—It is not necessary to infer that all not exempt are going to be attacked.

Lord Justice FRYGIMON.—The whole thing is quiet, and subject to absolute restrictions; if it were administered according to ordinary rules it should have been taken into the Court of Chancery to get a scheme. We wish to make very clear in all these cases that we are bound to have regard to the founder's intention, and where the founder has provided for any particular class, we must provide that its privilege shall continue. But the question here is what this particular class is. The utmost we could rule is that the particular class is Protestants of all denominations. In raising the question of exemption, you are excluding yourselves from being able to do a great deal that is necessary. The amount of money involved is very large contrasted with the amount of work done.

Rev. Mr. Carleton.—The Master of the Rolls held that the salaries of the clergy and the salaries of the ladies were a part and parcel of the charity, and that the funds available for educational purposes were only a part of the endowment.

Lord Justice FRYGIMON.—Yes, and if we were settling a scheme for you we would be bound to have regard to that; but the question at present is one of jurisdiction. It depends on whether this is applicable and provided exclusively for the benefit of children of the Church of Ireland. On that point we must see your register. If you bring it to us we may be able to decide. Let us see your school register and the forms.

MERCER'S SCHOOL, CASTLEKNOCK.

Mercer's School
 Castleknock.

Mr. Fyfe, Q.C., Counsel for the Governors of Mercer's School.—The case of Mercer's School, Castleknock, is one in which the trustees are all Protestant clergymen, the Lord Archbishop of Dublin, the Lord Bishop of Kildare, the Dean of St. Patrick's, the Vicar of St. Peter's, Dublin, and the Rev. James Keane. It was founded by Mrs. Mercer, whose will, made in 1733, provided that a sum of £3,000 should be applied by her executors in trust out of the produce of certain lands, for the purpose of providing a school for maintaining and educating twenty-five poor girls, and fitting them to be sent out as apprentices. This was intended to be a boarding school, under the exclusive management of divines of the Protestant Church, but the objects of it are not necessarily exclusively of any religious denomination. It has been always exclusively a Church school, and under exclusive Church management, and it is so at the present time. The will was made in 1733, and a short time afterwards a school-house was erected at Rathcoole. A stone was put up in front, notifying that it was founded by Mrs. Mercer for the education of Protestant orphan children. After providing this endowment of £3,000 to be invested in land, the testatrix gave certain property in the city of Dublin to her trustees for the same use, and then provided a sepa-

rate charity, upon which your lordships will have to decide how far it should come within the scheme. The will states that she was willing that her executors should lay out £3,000 in the purchase of lands in the county of Dublin, or a ground rent in the city of Dublin, and give them to the same trustees and their successors for ever, or any three of them, to be applied towards "the care and relief of such poor infirm sick persons as from time to time shall be found and be resident in the parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without," and that the respective ministers of these parishes may have the distribution of the same amongst such poor sick persons as they may deem proper objects of charity. The £3,000 and £2,000 were laid out in the purchase of land at Rathcoole, and the custom was to pay £100 a year to the clergy of these four parishes, to be applied by them in the manner stated. If they had not mixed the funds, there were really two separate endowments, £3,000 and the lands given to one charity and a distinct sum of £2,000 to the other; but from the way in which they were mixed, it would be for the Commission to consider whether they came within the 8th section of the Act. If the £2,000 were separated from the other endowment it would only produce about £60 a year, which would

be less than what the trustees have been paying—£100 a year.

Lord Justice NAUGHTON.—Has it always been conducted as a Church of Ireland school?

Mr. TWIGG.—Always, strictly.

Lord Justice NAUGHTON.—And as regards the admission, have they been exclusive?

Mr. TWIGG.—No. In the earlier period they appear by the records to have made an attempt to bring in Roman Catholic children but they found that it did not answer. In June, 1745, it appears that the trustees had prevented the visits of parents and friends to the Popish children, many of whom resorted to the school, it was ordered "that the trustees have commended her conduct in not suffering such children to converse with their parents, and that she discourage all mutual visits, and inform them that they are forbidden by the trustees." On the 11th February, 1750, Dr. King having reported that several children of Popish extraction, who were received into the school and educated, were inveigled away by their parents, it was "resolved that for the future no girl be admitted except such as have well attested certificates that both parents are of the Protestant religion." From that date down it has been so carried on. The governors require a certificate from the minister and churchwardens that the child is of Protestant parentage, and a certificate of baptism signed by the incumbent. It is a boarding school for the religious education of Protestant girls, and under the exclusive management of divines of the Disestablished Church. Except during the interval when Roman Catholic children were received into it, it is and has been a strictly denominational establishment.

Lord Justice NAUGHTON.—Are Presbyterian children and children of other denominations taken in there?

Mr. TWIGG.—I would be prepared to hold that it is a Church of Ireland institution, even though they might admit others. It would be their option to do so.

Rev. Dr. MORRIS.—Do you contend that at the time they received Roman Catholic children they acted contrary to the provisions of the will?

Mr. TWIGG.—I could hardly say that. If Roman Catholic children availed themselves of the instruction afforded in the school, I think the trustees may receive whom they please. If they came there they were bound to obey the regulations.

Lord Justice NAUGHTON.—You would scarcely say that the trustees would be guilty of a breach of trust in admitting them.

Mr. TWIGG.—I would not go so far.

Rev. Dr. MORRIS JELLET.—I would quite go that far. They could never have got a site for a school in the churchyard belonging to our parish, namely the churchyard of St. Stephen's church, except that they were desirous to be church schools.

Mr. TWIGG.—This lady took a lease from the minister, churchwardens, and others of St. Stephen's for 999 years, and covenanted that she would build a house in twelve months. That was in 1734. She came to make her will in 1733, and still had the idea of having that house for school children, but she changed her mind apparently, and gave it to Mercer's hospital, which was established under the 23 George II.

Lord Justice FRYGEMAN.—At that time St. Stephen's Church was where Mercer's hospital now is—the site of the old church. As I understand, there is nothing to indicate exclusion in the will, except the appointment of the Bishops.

Mr. TWIGG.—I take it that a boarding school is very different from a day school.

Lord Justice FRYGEMAN.—You may bear in mind what we have said already on the question of what a scheme should be if we came to settle it. The question is now, whether this Act applies to you or not.

Mr. TWIGG.—She recites that she has got the house, and she devises the same to her trustees to accom-

modate, lodge, support, and clothe twenty-five poor girls.

Lord Justice NAUGHTON.—It was to support an educational establishment, not a religious establishment, in the case you referred to. The principle was that where there was an endowment for a religious establishment, there the religious intentions of the founder are all important.

Lord Justice FRYGEMAN.—There is another eleemosynary object in this will, and she appoints the same ministers trustees. You cannot hold that those ministers cannot without a breach of trust apply the money to the relief of sick and indigent irrespective of their religion.

Mr. TWIGG.—It is to be given to the ministers for their personal application to the wants of the sick. It must be through them that it is given, and nobody can interfere with the mode in which they give it.

Lord Justice FRYGEMAN.—It is amongst all such poor sick persons in the parish as they shall judge to be proper objects for such relief, that it is to be given, and it is in their discretion how to distribute the same.

Lord Justice NAUGHTON.—Is there anything in the will as to religious instruction?

Mr. TWIGG.—There is no reference to religious instruction; nothing beyond that the children are to be educated.

Lord Justice FRYGEMAN.—There is this indirect indication as to the lady's intention, the source of the money, and the appointment of the trustees.

Rev. Dr. JELLET.—She mentions the minister and churchwardens of St. Peter's. She got a site and built a house on it, and never would have got it only that it was to be a religious institution in connexion with the Church.

Mr. SHAW.—I understand Mr. Twigg has given up the question of exemption.

Lord Justice FRYGEMAN.—We have been considering this case carefully while it went on, and we have come to a very clear view of it. The expression in the sixth subsection which is the key to the whole construction is the word "exclusive," the endowment in order to be exempted must be provided "exclusively" for the benefit of persons of a particular religious denomination, and it must be under the "exclusive" control of persons of that denomination. The word exclusive has a technical meaning to lawyers which after all differs very little from its ordinary meaning; it is that there shall be compulsory exclusion of all other objects except those spoken of, such as would make it a breach of trust to apply it to any other purpose than that to which it was exclusively devoted. There is no doubt that the control here is exclusively in the hands of persons of the particular religious denomination known as the Church of Ireland, because they are all dignitaries of that Church. Then we have to turn to the other point. We find that this is a very charitable will. There is one eleemosynary provision for the sick and indigent poor, the administration of which is given to the ministers who visit the poor, but it is in their own discretion to give it to all such poor and sick persons whom they think deserving. They would not be violating their trust if they in the course of their visits gave the money to persons not of their own religious denomination. When we come to the school we find that the will makes express mention of the education to be given. The recipients are to be twenty-five poor girls who are to receive instruction in reading, writing, working, and qualifying them to be put out as apprentices. She no doubt had taken a piece of Church land on which to build a school, but I think it is a little strained to say that she could not have got such a lease except for an exclusively denominational purpose. She plainly appears to have put the test of the application of the endowment on the poverty of the children, and their deserving it. We must also remember that the

Dec. 14, 1888.

Mercer's
Hospital,
Corkinroad.

Dec. 28, 1885.
 —
 Mercer's
 School,
 Castleknock.

ministers and churchwardens at that time were the authorized body for the relief of the poor of all denominations. The upshot of the whole is this—the lady, belonging to a Protestant denomination, gives to trustees belonging to her own denomination, her property in trust to establish a school for the benefit of twenty-five poor deserving girls. I would construe that will of the testatrix as I would construe the will of a Roman Catholic lady who gave money to the Roman Catholic Bishop, or to a community of nuns to establish and maintain a poor school, and when we come to administer the funds of the charity, I would consider it my duty to have regard to her intentions, to act on every indication of the sort of institution she wished to establish; and it being a private endowment, I consider it my duty towards the testatrix to apply her money as far as possible according to her own intention. But this becomes a question as to the form of the scheme. I cannot possibly see that I am at liberty to declare that it would be a breach of trust to apply this endowment for a child of any other denomination, and therefore I must hold that the endowment is not exempt, and that the Act does apply to it. I hope it will be quite understood now, that this decision only brings us to the consideration of the question of what the terms of the scheme should be. On looking over the former Report referring to Mercer's charity, I am glad to think that this is a school in which there is ample ground for supposing that the settlement of a scheme by means of the cheap, expeditious and effective machinery of this Act, will be very much for the benefit of the charity.

Lord Justice NAISH.—I agree with Lord Justice FitzGibbon. I only just wish to say that the grounds on which I agree with his judgment are these:—To evade a claim for exemption the persons contending must establish two things, first, that the particular endowment in question is under the exclusive control of persons of a particular religious denomination, and secondly, that the fund applicable and provided is exclusively for the benefit of persons of that religious denomination. In the present case the endowment is entrusted to dignitaries of the late Established Church; but reading the will nobody could say that the testatrix put a binding obligation on them to admit to the school only persons of that religious denomination. Unquestionably, in appointing persons of that character to be her trustees she must have known and felt that the school would be substantially a Protestant school,

but still she put no binding obligation on them to have it so, and if they thought fit to admit Presbyterian children, and to allow them to attend the Presbyterian Church, I do not see how the trustees could be held liable for a breach of trust in permitting such a state of things to go on. If the trustees could not be held accountable for such a proceeding it would establish that this was a school not provided exclusively for the benefit of members of the late Established Church. On this ground, and inasmuch as I agree with my Lord Justice FitzGibbon in considering that we are not justified in putting any exclusive provision of that kind into the will where the lady herself did not do so, I think it follows that these trustees have not maintained their claim to be held exempt from the jurisdiction of the Commission. Of course I have to add this, that when the scheme comes to be settled it is the bounden duty of the Commission to have regard to the spirit of the founder's intention. A great deal which has been pressed on us now, which I do not consider was sufficient to maintain the claim put forward, will then be of very great importance in determining the view this Commission should take in the scheme to be settled. We have here the case of a private person founding a school of a private nature, that person being of a particular religious denomination, and handing over the management of the school to the control of the bishops of the church to which she belonged. In considering the scheme which is to be carried out, those provisions must be a very sure and important guide as to what her intentions were.

Mr. Twigg.—As regards the bequest for the poor, I should have said originally that the money should have been kept distinct, because there was a different object, but as they have been mixed—would you say what the scheme should embrace?

Lord Justice NAISH.—Do you want us to say whether the scheme should contain provisions for the other part of the property?

Mr. Twigg.—I think it must.

Lord Justice FITZGIBBON.—The Act provides, "subject to the foregoing provisions of this section, the Commissioners shall have power by any scheme to deal with such endowment and with the governing body thereof, in the same manner, in all respects, as if the whole of it were an educational endowment." I think you ought to apply the scheme to the whole fund.

Dec. 31, 1885.

THURSDAY, DECEMBER 17TH, 1885.

At the Office, 23, Nassau-street, Dublin.

Present:—The Right Honorable Lord Justice FITZGIBBON and the Right Honorable Lord Justice NAISH, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.L., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.
 The Secretary, WM. EDWARD ELLIS, esq., LL.B., was in attendance.

CASES FOR JUDGMENT.

(1.) The INCORPORATED SOCIETY, (2.) the HIBERNIAN MARINE SOCIETY, and (3.) PIRATE'S ARMY.

Cases for
 Judgment.

Lord Justice FITZGIBBON.—Three cases stand for decision, in which we have heard claims for exemption under the 7th section of the Act constituting this Commission. The three cases are:—(1.) The Incorporated Society for Promoting Protestant Schools in Ireland, (2.) the Hibernian Marine Society, and (3.) Pirate's Army. They differ in their facts in some important respects, but the principles applicable to them are similar. We have given them most careful consideration, with a view, on the one hand, to extend the advantages conferred by the statute to every case to which it properly applies; and, on the other, not to expose ourselves to the charge of usurping

a jurisdiction not clearly conferred upon us. The exemption in each case is claimed under the 6th section of the 7th section of the Act, which provides that the Act shall not apply "to any endowment applicable and provided exclusively for the benefit of persons of any particular religious denomination, and which is under the exclusive control of persons of that denomination, unless the founder or the governing body of such endowment shall intimate, in writing, to the Commissioners their consent that such endowment shall be dealt with under this Act." The Incorporated Society for erecting English Protestant Schools in Ireland took its origin in an application from

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private individuals to the King for a charter; this application recited that "the Papists far exceeded the Protestants of all sorts in number" in certain portions of Ireland, and also, in terms that would not be used at the present time, the expediency of propagating among the Roman Catholic inhabitants of the country not only education of a secular kind, but also the principles of religion and loyalty, defining religion as "the true religion of the Protestant Church then established." The petitioners applied for the charter to enable them "to accept gifts, benefactions, and bequests, that the same may be employed under such rules and directions as your Majesty shall approve of, for the supporting and maintaining such schools as may be erected in the most necessary places, where the children of the poor may be taught gratis." They say they are encouraged to make the application "from the good success which the same method has already had, and (through God's blessing) we have will further have among your Majesty's subjects of North Britain; and also, in some measure, by what we have seen already done in this kingdom in some few places where such schools have been erected and maintained at the private expense of charitable persons." The charter in substance followed the application. It recited, as the application had done, the excessive number of Catholics over the Protestants of all denominations, and "that amongst the ways proper to be taken for converting and civilizing of the said delinquent persons, and bringing them (through the blessing of God) in time to be good Christians and faithful subjects, one of the most necessary, and without which all others are likely to prove ineffectual, has always been thought to be the erecting and establishing a sufficient number of English Protestant Schools, wherein the children of the Irish natives may be instructed in the English tongue, and the fundamental principles of true religion." It incorporated a large number of persons, including, among others, twelve ex-officio Governors, dignitaries of the Church, as one body petition by the name "of the Incorporated Society in Dublin for promoting English Protestant schools in Ireland." It enabled them to "erect, maintain and support in all places of our said kingdom of Ireland, where they shall judge the same to be most necessary and convenient, such and so many English Protestant schools as they shall think proper." It enabled the Society to appoint schoolmasters and schoolmistresses to be approved and licensed by the Archbishops or Bishops of this kingdom, and it directed that they should "teach the children of the Popish and other poor natives of our said kingdom the English tongue and to teach them to read, especially the Holy Scriptures, and other good and pious books, and to instruct them in the principles of the Protestant religion established in our said kingdom, and to teach them to write and to instruct them in arithmetic and such other parts of learning as to the said society shall seem meet, and to bring them up in virtue and industry; and to cause them to be instructed in husbandry and hawsewry, or in trades or manufactures, or in such like manual occupations as the said society shall think proper." It enabled the society "as they shall see cause, to nominate and appoint fit persons in any place of your dominions, or elsewhere, to receive subscriptions, money, or other things, contributed towards the aforesaid design;" and it directed that the by-laws should be approved of and confirmed by the Lord Primate, or one of the Lord Archbishops for the time being and one of the Lord Chief Justices or Chief Baron for the time being; and also gave them power "at any of their quarterly meetings in time coming, to elect and assume into their number and society, such subscribers and benefactors to their fund, being Protestants, as they shall judge fit and qualified to assist in carrying on the designs aforesaid." I have referred to the most important passages in the charter, which is a long one, bearing on the present question; but I think there can be little doubt of the meaning of the entire charter, it means to establish through-

out Ireland, and more especially in the parts of the country where the Roman Catholic population preponderated, a system of schools supported by private benefactions, under the government of a body intended to be exclusively Protestant. There can be no question, I think, that "Protestant" in this charter was restricted to the Protestants of the Established Church; it contains an express definition in one place, and there is nothing to contradict that elsewhere. But the question then remains—who were the objects of the charter, and what was the machinery by which it was intended that its benefits should be utilized? It would occur to me to be quite clear, reading the charter, referring especially to the passage which speaks of those who attending these schools were "in time" to become members of the community which the charter intended to propagate, that the persons who were to attend the schools were not to be exclusively of any particular religious denomination, but that it was contemplated that the great body of the pupils admitted to the schools should belong to the Roman Catholic persuasion, or to the other denominations of Protestants, those being the persons whose existence is recited as being the cause why the charter was necessary. That the practice of the society has been in accordance with this view of its charter is clear. After the foundation of the society the Government took advantage of its existence to work through it the system of Charter schools; that system has since fallen away. The Government aid has been withdrawn; but it still remains an historical fact that the Government availed itself of the machinery of the Incorporated Society to work through its government the Charter schools throughout the country, which were intended for the benefit substantially of all the poorer inhabitants. The schools of the society itself seem to have been administered in the same way. The Rev. Mr. Ardliff, the secretary, who gave evidence before the Commission of 1850, said that although he was not aware, except in one possible instance, of a Roman Catholic attending the boarding schools of the society, there were a very large number of Roman Catholic children attending the day schools (question 23247). Mr. Ardliff's successor, whom I am happy to see still in the service of the society, the Rev. Mr. Haskett, in his evidence before the Commission of 1880, gave similar testimony, that although the number of Roman Catholic children attending the day schools of the society had been greatly reduced, partly from their increasing repugnance to attend the schools at all, but mainly from the establishment of schools under management in which they had greater confidence, yet still there were a considerable number of Roman Catholic children attending the schools. They were not known as Roman Catholics in the schools; once they came in they were treated all alike—but still the schools were open to them. In the day schools, therefore, there has been throughout the history of the society a substantial number of Roman Catholics, and to the present time there is an appreciable number. In one or two instances brought before us—for example, the Ray school—there are, in addition to a considerable number of Catholics, a considerable number of Protestant pupils of other denominations than the Church. Therefore, it appears to us that this charter did not intend that the endowment should be provided exclusively for the benefit of persons of any particular religious denomination, still less that it should be applicable (which means "legally applicable") only for the benefit and education of persons of that denomination; therefore it appears to us that the Incorporated Society does not come within the first branch of the exemption in the statute. But this is a double exception. To satisfy the exemption the endowment must not only be applicable and provided exclusively for the benefit of persons of a particular denomination, but it must also be under the exclusive control of persons of that denomination. Now, the present constitution of this body is that it consists of the exco-sors elected from time to time, being Protestants—

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that is, being members of the late Established Church—of the individuals who were members of the original corporation, and also of the successors in twelve instances of persons who held offices at that time constituting the ex-officio government. This raises a question which has not been argued before us as we could either wish or as it must be argued in any case in which it may become necessary to decide it. I allude to the question of the effect of the Catholic Emancipation Act upon ex-officio government such as these. The 14th section of the Act (10 Geo. IV., c. 7) no doubt says "that it shall be lawful for any of His Majesty's subjects professing the Roman Catholic religion to be a member of any lay body corporate (this is a lay body corporate), and to hold any civil office or place of trust or profit therein, and to do any corporate act or vote in any corporate election or other proceeding" upon taking certain oaths now abolished. If that section stood by itself, there could be no question that it made it lawful for Roman Catholics to be members of such a lay body corporate as this. But the question on which we wish to guard our opinion, and on which we all entertain some doubt, arises on the 16th section. "Provided also and be it enacted, that nothing in this Act contained shall be construed to enable any persons, otherwise than as they are now by law enabled, to hold, enjoy, or exercise any office, place, or dignity, of, in, or belonging to the United Church of England and Ireland; or any office or place whatever of, in, or belonging to any of the universities of this realm; or any office or place whatever, and by whatever name the same may be called, of, in, or belonging to any of the colleges or halls of the said universities, or the colleges of Eton, Westminster, or Winchester, or any college or school within this realm; or to repeal, abrogate, or in any manner to interfere with any local statute, ordinance, or rule which is or shall be established by competent authority within any university, college, hall, or school, by which Roman Catholics shall be prevented from being admitted thereto, or from residing or taking degrees therein." The question is a difficult one to say whether this saving clause of the 16th section does not prevent a Roman Catholic holding one of the offices constituting ex-officio membership of this society from fulfilling the conditions attached to it. We, therefore, rest our judgment entirely upon the exclusion of the Incorporated Society from the first and substantial branch of the exemption. Having said so much, and so far given our judgment upon that matter, I wish to add some observations which we hope will carry some weight with them, which are not intended to be any portion of our decision, but which I intend to make for the guidance and assistance of the parties whose duty it will be to bring in a draft scheme. If we had to deal with public property originally derived from the State under conditions such as exist in this charter, on the disestablishment of the Church and the placing of all religious denominations upon a footing of equality, the argument would appear at once to arise that funds contributed by the State—thus is, by the whole community—at a time when one denomination of that community was under legal disability, should become open to all the members of that community as soon as the legal disability was removed, "*omnes rationes cessant*," and if the law were altered by taking away the disability which attached to one particular class of the community, of enjoying an endowment from public property, it would appear to be at least open to strong argument, that in any reorganization or extension of such an endowment, when the disability was removed, the exclusive enjoyment by a particular class should be removed also. The same argument does not appear to apply either in reason or justice, nor upon the words of the statute where we have to deal with private endowments. The 13th section of this Act is partly discretionary, partly absolute, and governs our dealing with the endowments of private founders.

It provides that "in framing schemes, it shall be the duty of the Commissioners, with respect alike to the constitution of the governing body and to educational provisions, to have regard to the spirit of former intentions; and in every scheme which abolishes or modifies any privileges or educational advantages to which a particular class of persons is entitled, whether as inhabitants of a particular area, or as belonging to a particular class in life or otherwise, they shall have regard to the educational interests of such class of persons; provided always, that where a founder of any educational endowment has expressly provided for the education of children belonging to the poorer classes, either generally, or of a particular class, or within a particular area, or otherwise for their benefit, such endowment for such education, or otherwise for their benefit, shall continue as far as requisite, to be applied for the benefit of such children." That is to some extent a discretionary or elastic provision; because if we have regard to the spirit of founders' intentions, we may, nevertheless, modify their literal effect. But unless some reason appears for departing from the spirit of the founder's intentions, it is obligatory upon us to carry them out in any scheme which we may frame. Not only is there the safeguard of time defining our duty, which is incumbent upon us, and which we are appointed to perform, but we must see our way unambiguously, at least the two judicial Commissioners must, before we sign a scheme; it does not rest there—our scheme has to be referred to another judicial body—namely, the Privy Council, the Lord Lieutenant in Council, and if the Council found that our scheme failed to manifest that we had discharged our prescribed duty, we should deservedly and unquestionably have it sent back for reconsideration. Even after all that, there is the possibility of one of the Houses of Parliament disapproving of it. I do not dwell further upon these checks, but dealing with the question of our own duty in its judicial aspect, I have to point out that the same section (s. 13), contains a passage which is not discretionary:—"Where the founder has expressly provided for the education of children belonging to poorer classes, either generally, or of a particular class, the endowment shall continue, so far as requisite, to be applied for the benefit of such children." When we come to look to the property of the Incorporated Society I will therefore be necessary for us to see the origin of the various provisions which the Society now has, who was the founder in each case, and what was his intention in giving the property. Those founders were entitled, as the law then stood, when they gave their property to the Society for the erection of English Protestant Schools in Ireland, to treat it as a body that was of the times a Protestant body, and could be nothing else, and which was therefore one to which they could safely entrust funds as a body permanently possessing that essential character. I may instance the case of Bishop Pococke, a bishop of the Established Church himself: he gave his estate to the body of which he was himself a member, upon trust for the maintenance of one particular school. The question may arise, what was his dominant intention? On this matter a very authoritative opinion was given so long ago as 1820, as to the primary object of the Society itself. The Attorney-General of the day, who, I believe, had the distinction of holding the office longer than any other person ever held it, expressed his opinion in these terms:—"The primary object, and the very principle of the charter by which the Society is incorporated being to educate the children of the Roman Catholic natives of this country as well as others in the principles of the Protestant religion, and that being the purpose for which they have been empowered to purchase and take estates and property, I cannot venture to say that the establishment of any school under the Society in which that primary object of education should be abandoned would not be an infringement of the charter. On the contrary, it appears to me that under the existing

character the education in the principles of the Protestant religion is an indispensable part of the system of education to be adopted in the schools of the Society, though in all other respects subject to be regulated according to the discretion of the Society." Now, applying that opinion to the case of a private founder it will at once be seen that the question will arise for determination: "Was his primary object in giving the benefaction the education in secular subjects of instruction of all the inhabitants of the neighbourhood where he established his school, the teaching of the Protestant religion according to the Established Church being only an incident of that education; or, was his primary object the promotion of the Protestant religion of the Established Church, and its extension to those persons who should attend the school?" This is a question which we cannot decide without reference to the instrument of foundation in each case, but speaking distinctly for myself, and I have no reason to believe that I am speaking in any way that would be dissented from by my colleagues—not only for this denomination, but for all religious denominations which have educational establishments in the country, we shall deem it our duty to have regard to the founder's intention wherever manifested, by seeing that his benefaction shall be, so long as applicable to that purpose, applied in any scheme to be settled, for the exclusive benefit of objects within his intention. Of course, as I have said, we will consider that question in each case upon the facts, but we have said already on every occasion of stating our view of our duties, and I must repeat again that it is not the result of holding that an endowment is within this Act of Parliament, to hold that it is therefore to be extended to objects which otherwise would not be entitled to its benefits. This statute gives to us powers large, I believe, than those possessed by any of the similar Commissions which have sat in other portions of the United Kingdom, but still judicial powers; and the key to their exercise is to be found in the rules of law and equity which govern the exercise of the powers of the Court of Chancery in the settlement of schemes for charitable objects. We have higher powers than the Court of Chancery in many most important respects. We have the powers of the Crown in addition; we are enabled to incorporate charitable bodies, and the charters we confer have, when duly sanctioned, all the force of Acts of Parliament. But the principles are the same; and it will be the duty of those who come forward with draft schemes for the future management of private endowments to bear in mind that they are to ascertain the spirit of the founder's intentions. To those intentions it is our duty to have regard and to give statutory effect to them in the schemes which we may settle. Of course it will be understood those observations apply to foundations of a private character, because, as I have already said, very different conditions and obligations apply to endowments originally derived from the whole community, from the benefits of which some portion of the community was at the time excluded by the existence of denominational laws, but which disabilities have been removed.

Now, as regards the Hibernian Marine Society, the case appears even clearer than that of the Incorporated Society. The school was established primarily as an eleemosynary foundation for the relief of orphan children of decayed seamen in the Royal Navy. As an incident to that relief, the children attending the school were to be instructed in religion, and the religious instruction which they were to receive was to be that of the Established Church. But it was not necessary that they should be, or become, members of the Established Church. On the contrary, we have clear proof that even at present the school has in its number of other denominations, admitted and willing to receive the benefits of the school, subject to the condition of attending to the religious instruction given in it. We do not decide the "ex-officio" point. It arises only as regards the members of Parliament

and the Lord Mayor, in respect of whom there is a provision to be considered in the Municipal Corporations Act, but we go entirely on the objects of the benefit. The history of the school is this: Two schools were established, one for the children of soldiers, the other for the children of sailors. The school for the soldiers' children was five or six years senior to the other; but the charters are similar. Both institutions received private benefactions, and the more fortunate soldiers succeeded in keeping considerable Parliamentary assistance, which though given for a time was long since withdrawn from the Marine School, which now appears to have nothing but private property. We, therefore, have a school originally established, and for some time aided from public funds, for the relief of a large body of persons irrespective of religious denomination, though including religious education as a portion of the benefit that was to be given, but now reduced to a school endowed by private benefactors and managed upon denominational principles. The school is a boarding school by its charter. We are all of us satisfied that unless compelled by exceptional conditions we will not endeavour in the case of any boarding school to construct one of those neutral institutions sometimes described as "godless institutions." It will be our desire to secure religious education as an essential portion of the education to be given in every boarding school. It is the case of day schools it may be provided otherwise, but in the case of boarding schools we regard religious instruction as an essential portion of the instruction to be given, not in any grudging, restricted, or half-hearted manner, but in a manner and under conditions satisfactory to those who are to receive it. We must deal with the question how to give effect to such a policy in this case; and we now point out for the guidance of those preparing the draft scheme, that we will consider whether this is now a private institution, has nothing but private endowments, and has been endowed by Protestant benefactors with the intention that it shall be managed as a Protestant institution. If it has, justice and our duty both will demand that it shall continue to be a Protestant boarding school for the children of decayed Protestant sailors to be instructed in the religion to which they belong. If in that case those of other denominations have not got similar advantages, it will be open to their friends to subscribe money of their own for the establishment of similar institutions, or to point out to the Government of the day that there is no reason why the children of decayed sailors should not be provided for by the State as well as the children of decayed soldiers. If it should turn out on the other hand that the donors intended their benefactions to be applicable to the children of all denominations, we must endeavour to make it so applicable, but if it is proved that the funds were given to this institution, knowing its denominational character, and with the intention that that character should be preserved, and if the funds come from donors of the same denomination it would not (as the Recorder very strongly put it to us the other day) appear to be our duty to take money that was given by a person of one denomination for the benefit and religious instruction of children of his own denomination, and to give it away to those who were not within the intention of the founder. But, as I have said, that is a question which we will have to decide on the evidence when brought before us.

The last is the case of Plessants' Asylum. I am not prepared to say as regards Plessants' Asylum that I differ from my colleagues; but if I could get my colleagues to agree with me, I rather think the decision would be the other way. It is with great regret, in the interest of the charity, that I am obliged to say that we hold Plessants' Asylum exempted from the statute. The will of the founder is a very remarkable document. It is unnecessary to go through its extraordinary provisions; but it is perfectly plain that the testator was a man of the most determined Protes-

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testament, he never described the objects of his bounty merely as "Protestants," but as either "real Protestants," "sound Protestants," "of sound Protestant stock," and the like, and in one case he instances as not being a "sound Protestant"—a person who goes to Church but practically does nothing else in the way of religion. He has directed that his property should go to establish an orphanage for poor girls in his house in Camden-street, Dublin, under very peculiar minute and inconvenient restrictions for the management of the school, he has appointed as a portion of his will that the government shall be in the hands of three trustees to be paid for attending once a week (52 attendances in the year for each of the trustees) these three trustees are to be three curates of the Established Church whose position in regard to their income is such that the addition of £52 a year, or £1 a visit, will be an appreciable advantage to themselves. Therefore, the governing body was to be strictly and officially belonging to one denomination of Protestants; there are other provisions from which we have come to the conclusion on reading the whole will that by "Protestants" the testator meant Churchmen, and intended that his endowment should be restricted to children of that particular denomination, which at that time was the only legally recognised denomination of Protestants. We sought not to strain our jurisdiction, or open ourselves to the charge of usurping jurisdiction; and, therefore, we are prepared to declare that this Act does not apply to *Pleasant's Asylum*, unless with the consent of the governing body. Now, I would beg the governing body to consider the position of the endowment, having regard to our ruling that this is a denominational institution, excluded from the operation of this Act, except by consent. If the consent be given to bring the institution within the benefits and operation of the Act, we are bound to exercise the jurisdiction under that limitation which has accompanied the consent; and, therefore, it must continue to be, as at present, an exclusively Church school. That is the necessary logical and just result of our judgment. I have now to point out to the trustees what they are losing if they do not come in to have a scheme settled. In the first place, they are exposing themselves and their charity at any moment to the inconvenience of being brought into the Court of Chancery, accused of not administering the trusts of the will in accordance with the founder's intentions. Two commissions have reported on the institution. Both have reported in the highest terms of the good work it is doing; but both have equally reported that the extent of that work is not commensurate with the amount of money devoted to it, nor such as the testator intended. The sum of £30,000 is a large amount of money to be utilised for the education, no matter how well, of the small number of fifteen children in that place. The trustees are also obliged to carry on the school under a number of quaint and inconvenient restrictions arising from the peculiar directions contained in the will. I ask them to consider when they can now without expense, with Parliamentary sanction, obtain a permanent settlement, whether they will not be acting wisely in preparing a scheme for the management of the endowment in a manner commensurate with the large funds at their disposal; but, at the same time, in accordance with the founder's intentions. I may add that we should bear in mind that he intended a considerable share of the endowment to be applicable to the benefit of the three poor clergymen and the two ladies whom he intended to take offices in the place. I am aware that on an occasion when one of the curates became an incumbent, nevertheless he did not see that he should cease to be a trustee. The matter was brought before the late Master of the Rolls, Sir Edward Sullivan, and he judicially pronounced that the three curates and the two widows were objects of the charity, whom the testator intended to benefit. Whether or not the school would be the better of associating other persons with the three trustees, it would be out of place to consider now, but

I conclude by saying to the trustees that it is within their power now to review their position and prepare a scheme, with our assistance, for the management of the charity in the future, without prejudicing their own interests. In the three cases, the commissions have, therefore, ruled that to the Incorporated Society, and to the Hibernian Marine Society, the Act does apply, but to the *Pleasant's Asylum* the Act does not apply.

Lord Justice NASH.—I agree with Lord Justice FitzGibbon in the conclusion at which he has arrived in the case of the Incorporated Society, and in the case of the Hibernian Marine Society, that those endowments are subject to our jurisdiction; and also in the case of *Pleasant's Asylum*, that it is not subject thereto. He has expressed so fully the grounds upon which he has come to that conclusion, and in which I agree, that it is necessary I should add but little to what he has said. But I wish to state shortly the manner in which the case of the Incorporated Society presents itself to me. On turning to the charter of the society, the object of the endowment, and the purpose for which it was founded are expressed very shortly at page 10. Its object was—

To teach the children of the People and other poor natives of our said Kingdom the English tongue, and to teach them to read, especially the Holy Scriptures, and other good and pious books; and to instruct them in the principles of the Protestant religion, established in our said Kingdom; and to teach them to write, and to instruct them in arithmetic and such other parts of learning as to the said Society shall seem meet, and to bring them up in virtue and industry; and to cause them to be instructed in husbandry and housewifery, or in trades or manufactures, or in such like manual occupations as the said Society shall think proper.

That charter has only been altered in one respect, namely, that of enabling the society to hold a larger amount of property than originally intended; but except in that respect, the charter was not altered by any subsequent charter, or by Act of Parliament, and it is still the governing charter of the society. Now, I think on reading it, there can be no question that the schools intended to be founded pursuant to it were to be Protestant English schools, and that the teaching was to be purely Protestant in character according to the principles of the then Established Church. But while they were to be Protestant schools of that character, it is equally clear the persons intended to be benefited were to be mainly Roman Catholic children, or children of Roman Catholic parents, and the benefit proposed to be conferred was the imparting of English and other education, and also, what was probably the main purpose which induced the founders of that institution, the bringing over to the Protestant faith of those Roman Catholic children who should be admitted to the schools. The question then is, can we say in the words of the Act, that an endowment of that character is an endowment "applicable and provided exclusively for the benefit of persons of any particular religious denomination," in the sense in which it was contended before us, namely that the persons for whose benefit it was exclusively provided were Protestants of the late Established Church? Well, the fact that Roman Catholic children were intended to be brought over to the Protestant faith, does not, in my opinion, render it less an endowment that was established for the benefit of the Roman Catholic and other poor children of the kingdom, and of the future Roman Catholic and other poor children of the kingdom. If the persons who drafted and prepared the Act under which we are acting, and the Parliament who had passed it, had intended that the endowment was not to be within our scope, I think they would have used different words. The words of the Act do not appear to me to apply, so as to exempt from our jurisdiction such an institution as the Incorporated Society which was intended to be established for proselytising purposes, that is for the purpose of bringing over to another persuasion persons of a different religious persuasion. I think the founders, if asked, would

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have said they intended it not for the benefit of the Protestant children of Ireland, but for the benefit of the Roman Catholic and other poor children of Ireland. I, therefore, agree with Lord Justice Fitzgibbon in holding that the exception does not apply so as to exempt this endowment from our jurisdiction. I do not consider it necessary to pronounce any opinion as to the other matter argued before us—namely, whether the holders of certain offices, who were by the charter of the society constituted ex-officio members of the governing body, are still such members in case they are not members of the Protestant Episcopal Church. That is a question depending upon the effect of the Emancipation Act. I do not think it necessary for the purposes of this case to decide it, and if it does appear to be necessary in a subsequent case to decide it, I would wish to have a further opportunity of considering it. Of course it is to be understood that it is only the question of exemption that is before us, and not the question of any particular scheme. As regards that question, I reserve to myself full liberty of judgment; and I do not think we should point out what the nature of the scheme ought to be further than to say this, that if any persons suppose that when once we are of opinion that a particular endowment is within our jurisdiction, that thereupon it is open to us in our own unfettered and free discretion to deal with it as we think best for the general purposes of education, such supposition is a mistake. There are certain duties of a very stringent character imposed on us by the Act, and one of those duties from which we cannot depart, and which the Act of Parliament requires us to observe, is to have regard to the spirit of the founder's intention. And without fostering any judgment I may form as to any particular scheme, I cannot lose sight of the fact, that that provision was intended to provide (amongst others) for a use of this kind, that where we are dealing with a foundation of a purely private character, even when such private endowment has been handed over to a body of a public character to administer, and where we are satisfied that it was intended by the founder to be applicable for purposes of a particular denominational character, we are bound to have regard to such intention. As regards the Marine School, I am of opinion that it also is subject to our jurisdiction. As regards *Messmates' Asylum*, I entertain no doubt that not only was the trustees to be there given to be of a denominational character—namely, those of the then Established Church, but I think that the intention of the testator was that the children to be selected as objects of the charity should be children of the Established Church, preference being given to the children of certain parishes. On that ground I think that this endowment was provided exclusively for the benefit of the children of the then Established Church, and consequently is exempt from our jurisdiction.

Rev. Dr. MONRO.—I concur in the judgment which has been given by the Lords Justices; and I will briefly state my reasons for the conclusions at which I have arrived. At the outset, I should wish to call attention to the fact, that the only question which has been before us, and which has been considered by the Commissioners, is the question, whether or no these endowments come within the jurisdiction of the Commission. In considering that question, we had simply to take the Act of Parliament as it is, not as we might wish it to be, or as we might have made it ourselves. These endowments certainly come within the scope of the Commission, unless they fall under one or other of the exceptions made under section 7; and it has been contended they fall under the exception of sub-section 6 of section 7. This sub-section provides that the Act shall not apply "to any endowment applicable and provided exclusively for the benefit of persons of any particular religious denomination, and which is under the exclusive control of persons of that denomination." Therefore, in order that an endowment shall be exempted from our juris-

diction, it is necessary that it must fulfil these two conditions—it must be (1) provided and applicable exclusively for the benefit of persons of one religious denomination, and it must be (2) under the exclusive control of persons of that denomination. Now, when I look at the charter of the Incorporated Society, I find that the persons for whose benefit the charter was made, are described as "the children of the Popish, and other poor natives of our said kingdom." The persons described as "the children of the Popish," were the Roman Catholics, and "other poor natives," would include the children of other religious denominations existing in Ireland at the time; and therefore it appears to me clear that the object of this charter was to provide education for poor children of different religious denominations. This being so, it cannot be maintained, that the endowments established in accordance with the provisions of the Charter are applicable and provided exclusively for the benefit of persons of any one particular religion. As regards the second condition, the matter would appear, at first sight, to be equally clear. When we look at the list of Governors, we find upon it members of the Protestant Episcopal Church, members of the Roman Catholic Church, and at least one distinguished representative of another Protestant denomination. Therefore, as a matter of fact, it would seem that the endowment is not under the exclusive control of members of one particular religious denomination. But attention has been called to the fact that in the Emancipation Act, under which members of the Roman Catholic Church have become ex-officio Governors of this Society, there are certain limitations, and a doubt has been raised whether those limitations may not exclude them from holding this office. That question has not been argued at any length before us, nor has it been fully considered by the Commission. For the present, however, it seems to me unnecessary to arrive at any decision about it; because whatever opinion may be held on this point, we are satisfied that the endowments founded under the Charter of the Incorporated Society, fall in the first condition specified. They are not provided exclusively for the benefit of persons of one particular religious denomination; and therefore, they do not come within the exception described in sub-section 6 of section 7 of the Act. With regard to the Marine Society, the same question arises. The object of the charter is mentioned expressly to be for the benefit of children of "desecrated seamen"; and no limitation whatever is made as to the religious denomination to which the children should belong. It is not in our power to attach any limitation to it, and therefore, we cannot find that it is applicable and provided exclusively for the benefit of the children of any particular religious denomination. Having said so much on the question of exemption, perhaps it may be expected that I should say something more on the points introduced by Lord Justice Fitzgibbon. The judgment which is given to-day has no reference whatever to any scheme which may hereafter be prepared or approved of by the Commission, and I should not like at this stage of the proceedings to bind myself to any statement of a particular character in reference to such a scheme. But, I may say, speaking generally, that I concur in the view put forward by Lord Justice Fitzgibbon. There is a very important distinction to be made between endowments of a public origin and endowments of a private origin. With regard to endowments of public origin, from which any particular class of the community was at one time excluded, on account of religious disabilities set up by the State, it is clear that when those disabilities have been removed, the members of that class should enter into their full share of such endowments. But private endowments stand on a different footing. When private individuals, out of their own private means, establish endowments for the benefit of their own particular religious denomination, and expressly provide that these endowments are to be exclusively applied to the members of that religious denomination,

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it appears to me to be a principle of public policy, and, I may say, a principle in which the interests of all religious denominations are equally involved, that the intentions of the founder should be held sacred. Hence, in any scheme drawn up or approved of by this Commission, for the administration of endowments of a strictly private character, I held, with Lord Justice Fitzgerald, that regard must be had to the intentions with which the foundation was originally made. There remains only the question of *Pleasants' Asylum*, and that seems to me a doubtful and difficult question to decide. The founder of this endowment expressly conveyed in his will that he intended it exclusively for Protestants. Now, the term "Protestant" includes, in its ordinary significance, persons of every Protestant denomination. It has been argued, however, that though this is the ordinary and historical meaning of the word "Protestant," it is sometimes used in a more limited sense. In the North of Ireland, it is said, the population is usually divided, according to religion, into three classes—Protestant, Presbyterian, and Catholic; and, therefore, it would seem that the word "Protestant," is there restricted to Episcopalian Protestants. I do not think that this use of the word is common in Dublin. But a remarkable instance was mentioned of a hospital in Dublin, where the titles over the patients' beds are "Protestant," "Presbyterian," and "Catholic," which shows that the northern usage is adopted, at least in this hospital. On the whole I am inclined to say, that the meaning of the word, considered in itself, must be regarded as doubtful. In order to interpret its meaning, therefore, in the case before us, we must consider the context and the circumstances in which it was used. In the first place, the founder was himself a member of the Episcopalian Church, and he appointed, for the execution of the trust, three trustees, who were dissenters of that denomination. Again, he provides that the endowment is to be applied for the benefit of those only who are "of sound Protestant stock by father and mother;" and it appears to me that when a member of the Episcopalian Church speaks of "sound Protestant stock," he intends to speak of those who belong to the same denomination as himself. But further, he adds—"Bride's parish to have the preference; Peter's, the next; and afterwards, from any other, on the producing an authentic certificate (subject to the approval of the governors) from the minister, curate, and churchwardens of it." It is clear from these provisions, that he wished the endowment to be administered in reference to an organization intimately associated with the constitution of the Protestant Episcopal Church, and not found in other Protestant communions; and from this, I think, we may reasonably infer, under the circumstances, that he intended to limit the benefits of the foundation to members of that church. I agree then in the judgment that has been given, that in the case of *Pleasants' Asylum*, the endowment comes within the exception of sub-section 6, section 7, of the Act; and, therefore, that it is exempt from the jurisdiction of this Commission, unless the governing body wish, of their own free will, to bring it under our operations.

Dr. TRAILL.—If the question involved in this case had been merely one of law I should have contented myself with giving a silent assent to the judgment given by the Lords Justices; but as the assistant Commissioners sit here in a sort of representative capacity, and as the question is one so much of fact as of law, it is perhaps reasonable that they should state in as short and concise language as they can the general grounds of their assent or dissent to the judgment pronounced by the Judicial Commissioners. On any abstract point of law we ought to be guided entirely by the opinion of the Judicial Commissioners; but on a question of this kind, a mixed question of law and of fact, we are at liberty to exercise our common sense and judgment. Under that point of view, the only distinction I would like to make is this:

that while I entirely concur that it is absolutely impossible for this Commission to take any other view with regard to the first part of sub sec. 6, that persons of all religious denominations were intended to be benefited by the Incorporated Society, yet I cannot take the same view with respect to the other condition of exemption, as to whether the governing body are, or are not, all members of one religious denomination, and I think it will have an important bearing after wards when we come to consider any scheme brought forward by the society. It has been stated that, as a matter of fact, some existing members of the governing body are persons not of the original denomination intended. Applying, not any systematic rules of legal interpretation, but broad common sense to the construction of the Act of Parliament affecting this matter, it strikes me that as the original corporation was essentially of a Protestant character, and as those members in question were placed upon the Board of Governors *qua* Protestants as well as *qua* ex-officio members of certain professions, they must be considered to be "Protestant Trustees" under the Emancipation Act, and also under the Municipal Corporations Act, without going into the strict interpretation to be laid down by lawyers afterwards, it would appear generally to me that those ex-officio persons were deprived of the right of sitting upon this Board. It strikes me that the object of the enabling clause in the Emancipation Act, is shown in the marginal note, that it is "not to extend to offices &c., in the Established Church, or Ecclesiastical Court, Universities, Colleges or Schools." Taking that broad view of these Acts, I think that those ex-officio gentlemen of a different religious persuasion never should have sat on the Board of the Incorporated Society at all. However, the first part of sub sec. 6 leaves this society within our jurisdiction. I have referred chiefly to the last part, because when it comes to drawing up schemes it will be a matter of some importance that a judicial decision shall be given on the question whether from the new governing body those persons should not be absolutely and explicitly excluded. I shall now only refer to *Pleasants' Asylum*, so far as to reiterate what has been said by Lord Justice Fitzgerald—namely, that it is a very important thing for the governors, should they draw up a scheme for that asylum, to remember that as far as this Commission is concerned they have a guarantee that the decision being given in favour of the exemption of the endowment, that decision will apply to any scheme they could bring in—that is to say, the exclusively Protestant Church nature of the endowment will be preserved. If they come in voluntarily they need be under no apprehension that the endowment will be tampered with, but the object will be to see that the original intentions of the founder shall be carried out.

Professor DOUGHERTY.—I have only to say that I concur generally with the decision announced by Lord Justice Fitzgerald.

Mr. Henry F. DILL.—In addition to the observations of the Lords Justices, I would ask for an expression of opinion as to whether it would be convenient that a list of the particular endowments should be brought forward with the scheme of the Incorporated Society.

Lord Justice FITZGERALD.—I think so. You have got an immense number of endowments, some small and some large, scattered over all Ireland. We must give you definite instructions as to what you should propose; but bear in mind that we will regard it as our duty to take the scheme you bring in as the subject of our consideration, but we cannot undertake to accept it, but take care to draw it up in a shape complete in itself.

Mr. DILL.—Will we have an opportunity of saying any question that may arise upon the scheme before its confirmation?

Lord Justice FITZGERALD.—Certainly. All schemes whether prepared by ourselves or by governing bodies, are in the first instance only draft schemes; but your draft should be what ours will ultimately be, a complete scheme; because you cannot alter your own draft

afterwards. You must stand or fall by it. We must take it as a subject of consideration, and before we consider our own. Drafts might be brought in, that we would not approve of at all. There must be an opportunity of discussing the whole thing in public. We are to receive objections in writing—in other

words we shall go through, and I hope with equal speed, all the operations of the Court of Chancery in the settlement of a scheme, and we shall be able to give it when it is settled, Parliamentary effect, and in some respects to do things the Court of Chancery cannot do.

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RALPH MACKLIN'S SCHOOLS

The claim for exemption was withdrawn.

Ralph Mack-
lin's Schools.

LOVE'S CHARITY.

The claim for exemption was withdrawn.

Love's Charity.

NEARY MAHON TRUST FOR ST. PATRICK'S CATHEDRAL SCHOOL.

Lord Justice FRYGEMAN.—This is a trust to pay £20 per annum to the Dean of St. Patrick's for the Cathedral school, is it not?

Very Rev. John West, D.D., Dean of St. Patrick's.—Yes, under the will of Neary Mahon.

Lord Justice NAIRN.—There is a sum of £30 a year; is that the whole endowment?

The Dean of St. Patrick's.—That is my part.

Lord Justice FRYGEMAN.—There are other bequests, making altogether £260 per annum payable to various charities. Who are the trustees, who pay the money?

The Dean of St. Patrick's.—The money is paid by the agent of the estate to me.

Lord Justice FRYGEMAN.—Do you get the £20 a year regularly?

The Dean of St. Patrick's.—I do.

Lord Justice FRYGEMAN.—Any scheme that we could settle would not be limited to year £20, but should affect the whole trust. The only trust affecting you is one to pay you £30 a year to do what you like with for this purpose. It is not necessary to settle a scheme for you alone; therefore we exempt you. I hope you get the money regularly.

The Dean of St. Patrick's.—Oh yes.

Lord Justice FRYGEMAN.—We could help you to get it if you do not. As regards the rest of the fund, there are other schools that may not be exempt. We decide that the Act does not apply, so far as relates to the £20 payable to the Dean of St. Patrick's.

Neary Mahon
Trust.

NEARY MAHON TRUST FOR THE SANTRY SCHOOL.

Mr. Henry Alexander.—This is a school under the management of the Incorporated Society.

Lord Justice FRYGEMAN.—You get £20 for the Santry School?

Mr. Henry Alexander.—Yes.

Lord Justice FRYGEMAN.—Your £20 may not be exempt from the Act although the Dean's was.

Lord Justice NAIRN.—Was this always conducted as a Church School?

Mr. Alexander.—Yes.

Lord Justice NAIRN.—Was this £20 given to this school while it was a Church school?

Mr. Alexander.—Yes.

Lord Justice FRYGEMAN.—Who are the governors of the school?

Mr. Alexander.—There are no governors.

Lord Justice FRYGEMAN.—Who are the committee?

Mr. Alexander.—Mr. Kingsley, the curate.

Lord Justice FRYGEMAN.—Where is the school held?

Mr. Alexander.—Behind the Church.

Lord Justice FRYGEMAN.—Is it on the Church premises? Is it connected with the Church building?

Mr. Alexander.—Yes.

Lord Justice FRYGEMAN.—The £20 seems to be regularly paid to you—you do not want our help to get it paid more regularly?

Mr. Alexander.—No.

Lord Justice FRYGEMAN.—We may declare the portion that regards the Santry school also exempt.

The Santry
School.

FINGLAS PAROCHIAL SCHOOL.

The Rev. Mr. Ffrench.—We have served notice that we claim exemption for the Finglas Parochial School, which was founded in 1762. The vestry book shows that on June 4th, 1762, at a general meeting of the Protestant inhabitants of the Parish of Finglas, held in the vestry room of said parish, in order to establish a charity school in the said parish, the following resolutions were entered into:—

"Resolved.—That the school to be established in this parish be under the inspection and government of the vicar, his curate assistant, the churchwardens and the gentleness who have served the office of churchwardens, provided they are Protestants, and such other governors whom they shall elect. That six governors, of whom the vicar and his curate always to be one, be a quorum to transact any business relating to the school or the election of a governor. That a meeting be held on the first Monday in every quarter, in the vestry room of the said parish, of which notice be given the Sunday preceding, immediately before the service, to inspect the state of the school and inquire into the conduct of the boys. That all sums of money arising from legacies, subscriptions, and charity sermons, be paid into the hands of a treasurer, who shall be elected into

that office, for the use of the school, such treasurer to defray all expenses of said school, and lay his accounts before the governors at the quarterly meeting. That six boys, the children of Protestants, be elected into the said school, the number to be increased at the discretion of the governors when the funds will permit. That if no boy applies for admission whose parents are both Protestants, then such boy to be elected who has been educated by either his father or mother, and brought up as a Protestant. That each boy be allowed one coat, waistcoat and pair of breeches, one cap, two shirts, four pair of stockings, and two pair of shoes yearly. That they be taught reading, writing, arithmetic, and palmistry, by the parish clerk, if he be the licensed English schoolmaster, for which the said master is to be paid the sum of one pound for each boy yearly. That the boys do constantly attend divine service whenever it is performed in the parish church. That when the parents of any boy are incapable of giving him due support, the governors on due consideration may allow such parents what may seem necessary for the support of each. That when any boy is duly qualified for a trade he be apprenticed to a Protestant tradesman of whose business the boy shall incline to, with a fee of three pounds. That a charity sermon be preached yearly in the parish church of Finglas, of which

Finglas
Parochial
School.

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Flinlea
Parochial
School.

has notice to be given in the public papers, for the support of the school, on which day the boys are to be newly clothed. That all due encouragement be given to well-behaved boys who shall secure the aid of the charity, either by furnishing them with tools for their respective trades or the gratuity which the governors shall think proper."

Lord Justice FRYGEMAN.—What have you got in the way of property?

Rev. Mr. Pilscher.—We have an endowment of £74 a year, which came in this way.—In the year 1770, a gentleman named Edwards left £100 for the school, eight years after it was founded. This money was borrowed by the parish in 1791. The parish being then, as now, a poor parish, they borrowed this money to repair the church at six per cent, charging this £100 on lands which they then had. It was to be continued in their hands until they thought proper to pay it off. Time went on and they continued paying this six per cent. The lands were then let at £10, and subsequently from the improvement of property about Dublin, at £35.

Lord Justice FRYGEMAN.—Was the whole £36 paid over to the school?

Rev. Mr. Pilscher.—It was. At the time of the disestablishment of the Church, the Commissioners thought that this property came within the scope of their commission, and accordingly the tenants in possession were notified, and obliged to pay the rents into court. The school had in consequence to be closed. When I became incumbent, I saw a notice in the papers that the land was to be sold. I inquired, and found that they were the economy lands. I brought the matter before Judge Lawson, he heard it by counsel, and decided that these lands were impressed with a certain trust which has since produced this £74 per annum, and he vested that sum in the Charity Commissioners for the maintenance of the school as heretofore.

Dr. TRAILL.—Was the land sold to the tenants?

Rev. Mr. Pilscher.—No, it was purchased by Mr. Edie.

Lord Justice FRYGEMAN.—The land was sold, but you did get £74 per annum for your £100.

Rev. Mr. Pilscher.—No; a rule was made by Judge Lawson.

Lord Justice FRYGEMAN.—Had the lands been sold before you heard of the matter?

Rev. Mr. Pilscher.—No; I attended with Mr. Nunn, and protested against the sale going on at all. Mr. Godley said he sold the lands subject to the claim made by the Vicar. Of course the value was more or less depreciated in consequence. Though it could be sold for a good sum, it did not bring as much as otherwise.

Lord Justice FRYGEMAN.—What happened then?

Rev. Mr. Pilscher.—After it was sold and everything done, my application was pending before Judge Lawson, and he wrote a letter saying he would hear our objection. He appointed a day to hear it in court, Mr. Twigg argued the claim before him, and a couple of months afterwards he sent us his decision.

Lord Justice FRYGEMAN.—In point of fact you acquiesced in the sale and took the money instead of the land?

Rev. Mr. Pilscher.—We did, in order to divide the proceeds.

Lord Justice FRYGEMAN.—It was a very good way of doing it. Is that the only endowment you have?

Rev. Mr. Pilscher.—That is the only endowment.

Lord Justice FRYGEMAN.—What is the size of the school?

Rev. Mr. Pilscher.—It is on the church land and vested in the Church Body.

Lord Justice FRYGEMAN.—Where is the money?

Rev. Mr. Pilscher.—It is vested in the keeping of the Charitable Commission. Here is Judge Lawson's order on the matter:—

"Whereas the Vicar and churchwardens of the parish of Flinlea, as trustees of the parish estate of Flinlea, lodged an objection in this matter alleging that certain lands part of the parish estate of Flinlea heretofore mortgaged, which had been sold by the Commissioners of Church Temporalities in Ireland were clothed with a charitable trust for the benefit of said parish, and whereas the said objection came on to be heard before the Right Honorable Mr. Justice Lawson upon the tenth day of January, 1883, in presence of counsel and solicitors for the said trustees, whereupon, and on reading the evidence in the parish book and other documents relied on in support of said objection, and it appearing to the Court that the said estate was partly appropriated for the use of the benefice of Flinlea, and partly to the charitable uses as alleged in the said objection, it is hereby ordered and declared by the Court, that the holding heretofore issued to John Bayley was impressed with a trust to the extent hereinafter mentioned for the support of a school in the said parish, and that the holding (herein) issued to William Hart, was impressed with a trust for the benefit of the poor of said parish to the extent hereinafter mentioned, and the Court doth hereby ascertain and declare that the sum of one thousand seven hundred and seventy-five pounds represents the value of the interest in Bayley's holding now applicable for said charitable purpose at supporting a school, and that the sum of twenty pounds represents the value of the interest in Hart's holding now applicable for the benefit of the poor of the said parish, it appearing to the Court that the said sum of money ought to be transferred to the Commissioners of Charitable Donations and Bequests in Ireland with interest thereon to the day, it is hereby ordered that the Commissioners of Church Temporalities in Ireland do forthwith pay to the Commissioners of Charitable Donations and Bequests for Ireland the said sum of one thousand seven hundred and seventy-five pounds two shillings and six pence (less money now owing to the said trustees one shilling and five pence) with interest thereon to this date, making in all the sum of two thousand three hundred and seventy-one pounds one shilling and two pence sterling, to be held by them in trust for the support of the school in said parish of Flinlea to be conducted as heretofore under the control of the Vicar and Churchwardens of the said parish."

Lord Justice FRYGEMAN.—I see that a restriction in your book states very clearly that the children were to be Protestants of your own denomination.

Rev. Mr. Pilscher.—Yes; there were never any other.

Lord Justice FRYGEMAN.—We will declare it exempt, it seems a simple matter. As we manifested in *Flanagan's* case if you want to lodge a scheme you will have to consider it. Yours is a case in which we declare the Act does not apply, except with your own consent: therefore, you and the gentleman managing the school had better consult and consider what you should do.

Rev. Mr. Pilscher.—Is it competent for us to have the fund transferred?

Lord Justice FRYGEMAN.—It is competent for you to bring in a scheme to that effect. We can tell you, as we mentioned already in some other case, where a body that is clearly exempt comes in and asks us to settle a scheme, we would be very slow to settle a scheme of which the consenting trustees did not approve. You got three per cent. on your money?

Rev. Mr. Pilscher.—Yes.

Lord Justice FRYGEMAN.—Did you capitalize the interest?

Rev. Mr. Pilscher.—Oh, yes, we have it all as mentioned in the order.

St. Michael's
Parochial
School.

ST. MICHAEL'S PAROCHIAL SCHOOLS.

Lord Justice FRYGEMAN.—No person having appeared to support the claim for exemption it will be struck out. It will be open to the governors to lodge

a scheme, or if the Commission should take up the case, they may then rely on any ground of exemption they may have.

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COOLOCK PAROCHIAL SCHOOL.

Coolock
Parochial
School.

The Rev. J. G. S. Skelids, Incumbent of Coolock.—This school was endowed by Sir Arthur Guinness, by will, dated 1836. The amount, £300, has been invested in New Three per Cent. Stock.

Lord Justice NASH.—What is the nature of this school?

Rev. Mr. Skelids.—It is a parochial school.

Lord Justice NASH.—Is it in connexion with the National Board of Education?

Rev. Mr. Skelids.—No.

Lord Justice NASH.—It is for poor school children?

Rev. Mr. Skelids.—Yes.

Lord Justice FRINGHAM.—How is it governed?

Rev. Mr. Skelids.—By trustees named.

Lord Justice FRINGHAM.—Is not this a school that there was a proposal to amalgamate with an endowment at Raheny?

Rev. Mr. Skelids.—I do not think any proposal ever came from us.

Lord Justice FRINGHAM.—What is the nature of the building you have?

Rev. Mr. Skelids.—We have a school building.

Lord Justice FRINGHAM.—You do not happen to have the lease with you?

Rev. Mr. Skelids.—No.

Lord Justice FRINGHAM.—Is it open to children of all religious denominations?

Rev. Mr. Skelids.—Practically it is, but none but Protestants come there.

Lord Justice NASH.—When had you lost a child that was not a Protestant?

Rev. Mr. Skelids.—I do not think there ever has been one.

Lord Justice NASH.—How long are you Incumbent?

Rev. Mr. Skelids.—Two years.

Lord Justice NASH.—Is this school connected with the Kildare-street Institution?

Rev. Mr. Skelids.—No. It used to be under the Incumbent. It is now under the inspection of the Diocesan Inspector. It is simply a parochial school kept by members of the Church of Ireland.

Rev. Dr. MORAN.—Do you claim to be exempt?

Rev. Mr. Skelids.—Yes, under the sixth section.

Lord Justice FRINGHAM.—We have to deal only with exemptions from the Act at present. It would not be possible for us to hold this school except. The endowment is not applicable and provided exclusively for the benefit of persons of any particular religious denomination?

Rev. Mr. Skelids.—It is a parochial school.

Lord Justice FRINGHAM.—Yes, but it is no breach

of your trust to apply the money to the education of all children who may choose to come in, had accept the instruction. Therefore we must rule that the case is not exempt from this Act, and that the Act does apply to it. At the same time we may state to you that your chief trustee being the clergyman of the parish, and the entire of the money being applied by you and your predecessors for the children of your congregation, we would not prepare a scheme unless you wanted one. But we must at present decide, as we have done in similar cases, that it is an endowment to which the Act applies.

Rev. Mr. Skelids.—We are not compelled to submit any scheme?

Lord Justice FRINGHAM.—No, but on the other hand if it was a case that we felt it our duty to take up you would lose the opportunity of lodging a scheme of your own if you had not already done so. Where is the money?

Rev. Mr. Skelids.—In Government stock.

Lord Justice FRINGHAM.—Who holds it?

Rev. Mr. Skelids.—The minister of the parish of Coolock for the time being.

Lord Justice FRINGHAM.—It is open to you to come in to incorporate the incumbent and two or three members of your congregation to be trustees of your school, of the lease as well as the money, to apply it for the school. The £300 left by the same will for the poor of the parish we have nothing to do with. The one scheme or, if you so desire, incorporate the same trustees for both purposes.

The provision in the Act is:—

“Where any part of an endowment is an educational endowment within the meaning of this Act, and part of it is applicable or applied to other charitable purposes, the scheme shall be in conformity with the following provisions (except so far as the governing body of such endowment assents to the scheme departing therefrom) that is to say, the proportion of the endowment or annual income for the time being derived therefrom which is applicable to such other charitable uses shall not be diverted by the scheme from such uses,”

and we are to fix the proportion, which here would be half and half. If you like to have an arrangement made by which trustees can be incorporated and have vacant places filled from time to time, it is open to you to do it. You could make a trust-settlement that would enable you to receive subscriptions and invest your money on a permanent basis, without the risk and expense attending continual re-appointments of trustees.

The Commission then adjourned to Friday, 8th January, 1895.

FRIDAY, JANUARY 8TH, 1886.

At the Office, No. 23, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FITZGERALD and the Right Hon. Lord Justice NAVE, Judicial Commissioners; ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

ERASMUS SMITH'S SCHOOLS.

The Attorney-General (instructed by Mr. John Maxwell) appeared on behalf of the Governors of Erasmus Smith's schools, and after consultation the case was adjourned to the 16th January. Sub-

sequently and before the 16th January, the Governors withdrew their notice claiming exemption from the operation of the Act.

THE QUEEN'S COLLEGES, CORK AND GALWAY.

The Attorney-General, M.P., and the Solicitor-General, M.P., and with them Mr. G. F. Hart (instructed by Mr. William Lave Joyce, Crown and Treasury Solicitor), appeared on behalf of the Crown, and submitted that the Queen's Colleges are excluded from the operation of the Educational Endowments (Ireland) Act, 1845, on the ground that the buildings in which the education of the colleges is carried on, are vested in the Board of Works in trust for Her Majesty, her heirs and successors; secondly, that the money endowment is a sum of £21,000 per annum charged on the Consolidated Fund by the 8 & 9 Vic., c. 45, and that therefore it is not an actual one granted for all time, but a possible endowment of £21,000 granted each successive year; and thirdly, that the remaining money endowment in so far as it comes from any public source is an endowment voted each year by Parliament, forming portion of the estimates, and devoted to this particular purpose by the annual Appropriation Act. Counsel proceeded to argue that having regard to the sources from which the endowments come, and to the sections of the Act of Parliament under which they are established, it is perfectly impossible to say that the Educational Endowments (Ireland) Act, apply to them. Counsel referred to section 1 of the Educational Endowments (Ireland) Act, so defining "Educational Endowment," and "Governing Body." Counsel also referred to the Act under which the Queen's Colleges were established, the 8 & 9 Vic., c. 45, sections 1, 2, 3, 4, and 10, and to the Charters of the Colleges.

Mr. Roche, Q.C.—I appear on behalf of the President and Council of the Queen's College, Cork. As a matter of fact there are no private endowments whatever connected with Queen's College, Cork. The proposed endowment by Mr. Crawford is still inchoate; it has not been transferred to Queen's College, Cork. Mr. Crawford has built an observatory there, over which he retains as much control as a man has over his own house, and he intends to transfer it to the Queen's College, but he has not yet done so. In reference to the incorporation and the license of the Queen's Colleges to hold property, that is presumably in consequence of the provisions of the 17th and 18th sections of the Act under which the Queen's Colleges were founded. Halls for students may be endowed by private benefactions, and houses may be raised for building; but still "no such hall shall be recognized by any of the said Colleges unless the instrument of foundation shall provide that such rules, and also the appointment from time to time of the principal or other person holding chief authority in such hall, shall be of no force until allowed by the person or persons appointed as aforesaid by Her Majesty, her heirs and successors, to execute the office of visitor of the said college." Nothing vests in the college until the approval has been ascertained

of the visitors appointed under the Act of Parliament. I cannot add anything to what the Attorney-General has said, except that this endowment can hardly be called "property dedicated to charitable use, and which has been applied or is applicable, in whole or in part, whether by the declared intention of the founder or the consent of the Governing Body, or by custom or otherwise to educational purposes."

Lord Justice FITZGERALD.—The language of the statute has been referred to by the Attorney-General, and we have very little difficulty in dealing with the matter. The moneys that are annually voted upon the estimates by Parliament do not become allocated in any way to the purposes for which they are applied until Parliament wills it and expresses its desire by the Appropriation Act, and such moneys, therefore, do not constitute property at all until appropriated by the legislature, and could not, as it would appear to us, come within the description of "property dedicated to charitable use, and which has been applied or is applicable, in whole or in part . . . to educational purposes;" for the very Act by which the property becomes for the first time available for any purpose, appropriates it absolutely to the purpose for which Parliament gives it. Therefore, as regards the annual votes, there can be no doubt that these do not constitute property which it would be possible to deal with under the Act. The next portion of the Queen's Colleges' property is the £21,000 a year appropriated under the original statute of 1845. Now, the position of that fund is very peculiar. There is a power to the Commissioners of Her Majesty's Treasury, by warrant under their hands, to charge the Consolidated Fund of the United Kingdom, after providing for all preceding charges, but having preference over all future charges, and to direct to be issued and paid thereout "such sums of money as shall be needed for defraying the several stipends which shall be by Her Majesty appointed to be paid to the President and Vice-President, and to such Professors in the several faculties of arts, law, and physics, as shall be from time to time established by Her Majesty, her heirs and successors, and to the bursar, registrar, librarian, and other office bearers and servants in each of the said colleges, and for defraying the expenses of such prizes and exhibitions as shall be by Her Majesty, her heirs and successors, awarded for the encouragement and reward of students in each of the said colleges, not exceeding, in any one year, the sum of £7,000 for every such college, or the sum of £21,000 in the whole." That fund is, therefore, one which depends for its existence upon the power that is vested in the Lords of the Treasury to make the charge upon the Consolidated Fund, and its application is afterwards regulated by Her Majesty by

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shorter, more especially chapter xvii. of the charter of 1833, which allocates the endowment, and, after creating a number of salaries, provides that, "if any part of the aforesaid charge of £7,000 on the Consolidated Fund remains unexpended in any year, it shall be competent for the Council to apply the sum so unexpended in the institution and augmentation of college scholarships and other prizes; or, provided the consent of the Lieutenant-General and General-Governor of Ireland shall have been previously obtained, in such other ways consistent with the provisions of the said Act of Parliament as shall to them seem most conducive to the advancement of learning and knowledge, and to the promotion of those objects for which the college has been founded." Now, the machinery creating this fund is not one which appears to us possible to put in motion or to regulate through the action of the statute creating this Commission. This is not property dedicated to charitable uses, nor is it property applicable to educational purposes, until the power is first exercised by the Lords of the Treasury, under their hands, so to appropriate it; and, as pointed out by the Attorney-General, it would be a very anomalous thing that machinery, dependent entirely for its action upon, first, the action of this Commission, and then, subsequently, the action upon that of the Lord Lieutenant in Council, should be applied to such a provision as this, which is directly in the hands of Her Majesty and the Commissioners of Her Treasury, and through them is brought in upon the Consolidated Fund. Therefore, as regards that fund as well as the Parliamentary vote, it would appear to us that the machinery of this Act of Parliament, whatever its actual terms may be, is so plainly inapplicable to the fund, that we must hold that it is exempt. There remains a third class of property which is in a different position. The buildings were provided by money obtained from Parliament, and, as the sites were occupied, they became vested in the Board of Works, upon trust for the Queen. If they had remained so I do not think there can be any doubt that on principle that a statute is not to be applied to the Crown without express words, these buildings would be outside the statute. But by the charter of 1833, the property was handed over to the present Governing Body:—"And we do hereby further will, declare, and direct that the lands, buildings, goods, chattels, and property of the college, created by our said Letters Patent, in the ninth year of our reign, shall be and become the property of the college, created by this our charter;" and the President and Professors of the college, and their successors, are incorporated by the name and style of the President and Professors of Queen's College, who are given perpetual succession, and a common seal, and in whom and their successors are vested by this charter the buildings for the time, and from time to time, occupied for the benefit of the colleges. Therefore it would come to us they are a body plainly coming within the words of the Act of Parliament, in so far as their relation to the buildings within which the colleges are situated is concerned; and I would point out, as showing the extent to which the Act is intended to be applicable, the provisions of the last clause of the 27th section:—

"A scheme when approved by the Lord Lieutenant in Council shall have full operation and effect from the date of each Order in Council in the same manner as if it had been enacted in this Act, and thenceforward every Act of Parliament, Letters Patent, statute, deed, instrument, trust, or direction relating to the subject matter of the scheme, so far as is consistent with the provisions thereof, shall be repealed and abrogated."

On the face of this Act powers are contemplated which will override Acts of Parliament and letters patent, and will substantially enable us, through the Lord Lieutenant in Council, to establish regulations for the management of endowments which will have all the authority of statutes, and which may be created to a very great extent through prerogatives, in fact similar

to those possessed by the Crown; and while we ought to be very slow to tump jurisdiction not given to us, we ought to be equally slow not to rule out of our jurisdiction property within it, more especially when we may have to deal with other cases in which it might be more desirable to apply our powers than the one before us. Therefore, for one am not prepared to say that the buildings of these colleges are not within the powers of this Commission. I would like before passing on to make it very clear what I mean. The contention relied upon here is by no means similar to those we have been dealing with in other cases—that the property in question is not subject to the application of the Act without the consent of the governing body. The contention here is that the President and Council are not the governing body at all, and could give no valid consent to our dealing with the property of the colleges. This I am not admitting, but there remains the practical question—the £21,000 not being property within the terms of the statute, and the buildings being property that is, what is the course that we are to take? This Commission will be administered with a view to what is practicable as well as what is legal. There is no compulsory power on us to settle schemes; and the settlement of a scheme for the bare buildings of the Queen's Colleges would be perfectly useless, and it would be worse than useless—it would be mischievous if settled in opposition to those who had the providing of the money. Our ruling, therefore, will be that so far as regards the money applicable to the Queen's Colleges provided by Act of Parliament, or charged on the Consolidated Fund, in our opinion that property is not within the scope of our Commission; so far as the governing authority of the Queen's Colleges is vested in Her Majesty, such governing authority is not within the scope of this Commission; and we make no further declaration on the subject. It may possibly turn out, on further investigation of the matter, that the academic body may desire to have a scheme settled, as to some of their property, there are, for example, some endowments for prizes, as to which a scheme vesting them, clearing up questions of title or otherwise regulating them might become desirable. Therefore, we ought not to throw away our power when we possess it; but we shall declare as regards such other property, if any, as is available for the purposes of the College that no further proceedings shall be taken by the Commission until further order. We have no intention whatsoever, and never had any intention, of initiating proceedings with regard to the endowments of the Queen's Colleges. We know very well that there are many questions connected with these which if we attempted to settle in *vacuo* we might be unable to settle. Whatever we might do would not be satisfactory to all, and some might endeavor to upset anything we attempted to do. We never had any intention of initiating the proceeding, and we have no intention now of meddling with the matter. The views we have expressed will satisfy the Attorney-General and leave it open, in case those who have the administration of the Colleges bring it before us, to deal with such matters as I have indicated.

Lord Justice NABES.—I also am of opinion that we have no jurisdiction to settle any scheme for dealing with the Parliamentary endowments of the Queen's Colleges. As regards the £21,000 a year provided for the colleges by the Act of 1845, it is not an absolute endowment of £21,000; it is such sum annually not exceeding £21,000 as the Commissioners of the Treasury may appoint. The Commissioners of the Treasury are the officers of the Crown, and in appropriating that sum the Crown acts through its responsible ministers who are subject to the control of Parliament. The annual vote is also subject to the control of Parliament, and is so much money as Parliament thinks fit to place at the disposal of the Crown for the purposes of the Queen's Colleges. It is plain, therefore, the entire endowment in money coming from the Crown, subject to the control of the Crown; and the legal principle that the Crown is not

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board unless expressly named, plainly demonstrates that this Act does not apply to these endowments in any sense whatever, and that we have no more power to deal with them than we would have to deal with endowments in England. In respect of the legal principle, that there is an endowment subject to the annual control of Parliament, liable to be discussed in Parliament every year, every penny of which may be withdrawn, a great portion of which cannot be applied except under an annual vote, is sufficient to satisfy me and the other Commissioners that we have no power by any scheme that we would settle, and that would be approved of by the Lord Lieutenant in Council, to control Parliament, or to exercise any control which it now possesses over every penny of

these endowments. I am, therefore, satisfied that we cannot settle these endowments, and that they must be left to be dealt with by Parliament, and not by us. That being so, I quite agree with Lord Justice Fitzgerald in considering that as regards the buildings in which the work of the colleges is carried on, we would not be justified—although we have jurisdiction to frame a scheme dealing with them—in the exercise of our discretion in any manner interfering with them.

Dr. TRILL.—This is a legal question entirely, and therefore not one for the Assistant Commissioners. I will take the law from the Judicial Commissioners as far as I am concerned.

ST. PETER'S PAROCHIAL BOARDING AND DAY SCHOOLS, AND THE WRAY SCHOOL.

St. Peter's
Parochial
Boarding and
Day Schools,
and the
Wray School.

Mr. Colles (instructed by Messrs. Meade, Colles, and Co.) appeared on behalf of the Governing Body of St. Peter's Parochial Schools, and claimed exemption under sub-section 5, and sub-section 6 of the 7th section, on the ground that the endowment consists of voluntary subscriptions or communications, or investments thereof, and is an endowment applicable and provided exclusively for the benefit of persons of any particular religious denomination, and which is under the exclusive control of persons of that denomination. In 1884 the entire income of the schools was £196. Of that sum £132 15s. 10d. was derived from endowments; the rest consisting of voluntary subscriptions and payments by boarders, and one or two small bequests. The endowments are as follows:—Four houses in Bishop-street, numbered 1, 2, 3, and 4, and producing altogether £72 a year; one house in Cross Kevin-street, producing £30 a year; a house at number 49, Camden-street, producing £30 a year; from houses in Anne-place, Camden-row, producing £14 a year; rent from the Governors of Mease's Hospital £24 a year; in all £140. The next item is a bequest of Mr. Patrick Carey in 1838, the amount of which is £13 10s. annually; then there is a grant by Lord Rosedale in 1807, amounting to £8 3s. 8d., and a supplemental bequest of £1 2s. 10d. annually. As regards Patrick Carey's bequest I hold here pro-
bably of the will of Patrick Carey, dated 1838, in which testator says "after payment of the said bequest and annuity to my wife, and also from and immediately after my decease in trust to pay, apply, and dispose of all my said real and personal property equally for the support and maintenance of one school for the education of children professing the Protestant religion, and one other school for the education of children professing the Roman Catholic religion, both said schools now established in the parish of St. Peter's in the city of Dublin." Under this will a sum of £200 is now invested in original stock in the names of Archbishop Scott and others; the interest of one moiety of it is paid to St. Peter's Parochial Schools, and the interest of the other moiety is paid to one of the Roman Catholic schools. The Rosedale grant is mentioned in the minutes of the Governing Body dated 26th February, 1807: "Present—the Rev. the Archbishop in the chair, Rev. Mr. Lewis, Rev. Dr. Lyster, Rev. Mr. Quill, Sir John White, William Mahony, esq., C. Parnes, esq., Arthur Keane, esq., Benjamin Keane, esq., Thomas Widdridge, esq. The Archbishop of Dublin having this day laid before the Governors of the schools a proposal from Lord Rosedale to apply the interest of a sum of money due to him for fees as Treasurer of Erasmus Smith's Charity, for the purpose of educating a number of poor children as day scholars in the charity schools of St. Peter's, under the appointment of the minister for the time being, resolved, that the Governors of the school accept with pleasure the proposal of Lord Rosedale, and request the Archbishop of Dublin to communicate the same to his lordship with their respectful acknowledgments." An account given of the Southwell bequest,

I find by an entry in 1870:—"Part of the joint bequest of Messrs. Goscoin and Southwell, originally at 5 per cent, now at 3 per cent, interest, to be annually divided amongst the day scholars of the following parishes. The amount is extremely small, the interest of £1,250 at 3 per cent, and it was divided amongst the schools of twelve parishes, one of which is St. Peter's, and it yields us now only £1 2s. 10d. annually. The four houses in Bishop-street were devised by Mr. Daniel, and the site at Camden-street was got from Mr. John Hatch in 1813. In 1831 there was a bequest of £1,000 by C. Boyd, which was expended on building the girls' and infants schools as they now exist. In 1873 the perpetual interest in the ground of the schools of the parish was purchased by the governors for £543, which was raised by special subscriptions and stock sold out. I have been the first conveying the perpetual interest in the schools to the trustees, namely, the Archbishop, the Rector, and two Churchwardens.

Council then referred to the rules for managing the schools, and also to the admission form to the boarding school; on the back of it are the "Rules as to the admission of children into St. Peter's Schools." The rules are as follow:—

To the Boarding School "children are eligible for admission—1st, if their parents have since their marriage been permanently resident in St. Peter's parish; 2nd, if their parents have both been members of the United Church of England and Ireland; 3rd, if they have as Roman Catholics religiously entitled to claim them; 4th, if the father be dead, or if while still living be incapacitated by incurable disease from carrying a trade;—in the latter case a certificate from a registered Medical Practitioner is required; 5th, if their parents have been above the class of servants; 6th, if their age cannot easily be under twelve years; 7th, if they be recommended according to the prescribed form by one or more respectable persons—subscribers—who will bear testimony to the truth of the statements contained in the memorial, and enter into the agreement therein set forth. Note.—A memorial read at one monthly meeting cannot be acted on until the next monthly meeting. The above rules do not apply to pay-boarders. Children of respectable Protestants are admitted on payment of £15 per annum. Day-schools.—These schools are open to all children of the parish on payment of one penny a week, or free to such poor children as the governors of the parish may recommend. Sunday schools.—Children attending the day schools are expected to attend the Sunday schools, and to accompany the mother or mistress to church at morning service on Sundays."

Council suggested it as possible that the rule as to admitting all children of the parish on payment of one penny per week, might have been made ultra vires.

Lord Justice Fitzgerald.—That is the critical point for us now, because if it was made ultra vires, and has been acted on as being a rule in force by a person giving property to the school, it would be our duty to give effect to his intention, and to make that a lawful rule; but if on the other hand it should appear that property was derived from persons who intended to give it for the benefit of children of the denomination only, we might be obliged so to provide.

But at present we are only on the question whether you are within the statute or not. It distinctly arises at once, whether do you want as now to prepare a scheme for you as a Protestant school, or do you want to make out that it is provided exclusively for the benefit of Church children, and if so, how do you reconcile that with the fact that Jewish children attend, and that even Roman Catholic children attend, besides children of other Protestant denominations than the Church of Ireland?

Counsel also referred to an entry in the minute book of 10th November, 1791, and containing the regulations to be observed by the master of St. Peter's School. He is to rise constantly at 7 o'clock in the morning, in summer, and at 8 in the winter, at which hours he must invariably either read prayers himself, or be present while they are read by one of the older boys, to the intent that the service may be performed with all due solemnity. He is to attend school regularly every day from its commencement at 9 o'clock in the morning, till its breaking up, during which period he is to pay the utmost attention not only to the manner in which the boys perform their tasks, but to their general conduct and propriety of behavior. He is also to preside over them during their time of dinner, to observe they are served with proper food and behave themselves with decency. He is in person to attend the boys to morning service in St. Peter's church on every Wednesday and Friday, and public holiday throughout the year, and on Sundays, both to morning and evening service for the purpose of superintending their conduct with the strictest exactness. He is not to permit any boy to be absent from the house, from school or from church without good and sufficient cause, and without previous leave obtained from himself. Lastly, as the boys' strict performance of their moral and religious duties is the great and necessary object of the attention of the governors, so they require the most vigilant and guarded care on the part of the master in those points, to which and they direct that he shall reside constantly in the house. That independent of the attendance already pointed out, he shall be generally present at their meals, &c., as his presence and example are the strongest restraints from improper inclinations to good conduct in the boys, and that his general behavior both with respect to the internal regulations and honors of his house and external engagements shall be exemplary and edifying.

Dr. TRAILL.—Can you find any minute that justifies the rule that these schools are open to all the children of the parish?

Mr. Colthurst.—I have not been able to do so.

Lord Justice FRYGEMAN.—No matter what the solicitor is, is not that an existing rule which you now produce?—Is it not one of the existing rules that "these schools are open to all children of the parish on payment of one penny a week." I understand you take in all children and ask no questions.

Mr. Colthurst.—It is a rule that is supposed to be in existence still.

Dr. TRAILL.—When were these schools built?

Rev. Canon JELLET.—The schools were built in 1881.

Counsel submitted that this endowment having been originally vested in the minister and churchwardens, and having always been administered in connexion with St. Peter's church, are within the 4th subsection of section 7.

Dr. TRAILL.—Are these the rules of 1791?

Mr. Colthurst.—They are the rules of 1791, and they do not contain that rule about the day schools.

Lord Justice NAIRN.—Does anyone appear for the Wray school?

Rev. Canon JELLET.—I do.

Lord Justice NAIRN.—Is the Wray school carried on in the same building as the other school?

Rev. Canon JELLET.—They have taken a lease.

Mr. Pilkington, Q.C.—I appear with Canon Jellett on behalf of the Wray school. We attend here to give any information in our power with regard to the

Wray school, for the purposes of which a lease was taken under a scheme settled by Master Murphy under Lord Roskill's Act.

Lord Justice NAIRN.—Is that scheme applicable exclusively to the Wray school?

Mr. Pilkington.—Exclusively; it does not relate at all to the others. There were originally four trustees—the Archbishop of Dublin, the late Judge Longfield, Canon Jellett, and myself. The school was founded in 1889 under the will of Mrs. Wray. Archbishop Tranch is absent, and we are not in a position to communicate with him, and there being no person appointed a trustee in the place of the late Judge Longfield, Dr. Jellett and myself do not think it right to take it upon ourselves to determine whether or not this was an endowment exempted from the Act; so we wished to have a judicial decision on the point, and we attend therefore today for the purpose of giving all the information in our power.

Rev. Canon JELLET.—The subscriptions paid to this school in charity sermons would swallow up the bequest ten times over, and it would be rather hard if, through our generosity in admitting Roman Catholics, we having occasionally had in children of other denominations—we should forfeit the money subscribed by members of the Church.

Lord Justice FRYGEMAN.—Who are the trustees at present of St. Peter's schools?

Mr. Colthurst.—The minister and churchwardens.

Lord Justice FRYGEMAN.—We will hear now about the Wray endowments. What do you desire, Mr. Pilkington?

Mr. Pilkington, Q.C.—I merely attend for the purpose of giving information. I do not mean to argue any question of exemption. I have a scheme that was settled by Master Murphy, under Sir Samuel Romilly's Act, as regards that estate. It is dated 8th March, 1889, and these are the terms of the scheme:—

"Scheme for the application of part of a bequest of £4,500 left by the will of Mrs. Catherine Wray, and now represented by £4,893 3s. 5d., government three per cent. consols, standing in the books of the Bank of Ireland to the credit of Mountfort Longfield, executor of Catherine Wray, and the master of Mountfort Longfield, petitioner, and Catherine and Elizabeth Young and others, respondents, a separate credit of a legacy of £4,500 for founding Mrs. Wray's schools, taken from Master Murphy's order, 8th March, 1839. First, that the trustees shall procure by lease or otherwise a suitable portion of the premises now in the possession of the minister and churchwardens of St. Peter's parish, in the city of Dublin, and known as St. Peter's schools, and establish therein a school for the instruction of poor children. Second, that such school shall be called Mrs. Wray's school. Third, that the trust fund shall be forthwith transferred to the trustees, who shall have the power of investing same, mentioned under the 25th section of the 23 & 24 Vic. c. 145, and also the power to invest in government debt or stock of the United Kingdom. Fourth, that after providing for the expense of procuring said premises, and establishing such schools the annual income of the principal sum of £4,500, now represented by £4,893 3s. 5d., government three per cent. consols standing in the books of the Bank of Ireland to the credit of Mountfort Longfield, executor of Catherine Wray, and the master of Mountfort Longfield, petitioner, and Catherine and Elizabeth Young and others, respondents, a separate credit of the legacy of £4,500 for founding Mrs. Wray's school, be applied by the trustees in maintaining such school, in providing necessary school regulations, and in paying the master or mistress, or both if necessary, such stipends as the trustees may think proper. Fifth, that books of account shall be carefully kept by the trustees, showing the application of said trust funds. Sixth, that the trustees and the survivor of them, and the other trustees and trustee for the time being of said trust funds shall have the power of appointing the new trustees or trustees mentioned in the 27th section of

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the said 22 & 24 Vic. c. 145, and their receipt shall have the effect mentioned in the 25th section thereof. Seventh, that the trustees for the time being may make such rules not inconsistent with this scheme for the management of the school as to them from time to time may seem right. The will of Mrs. Wray, by which she left the sum of £4,500 to be employed by her executor in the establishment, foundation, and endowment of a school for poor children, to be called Mrs. Wray's school, and to be paid by him to four parties, to be regulated by him for that purpose.

Dr. TRAILL.—You have separate masters?

Mr. PILLINGTON.—We have three separate masters and our coats are kept separate. The rules were made in 1870. By the minute book it appears that "at an adjourned meeting held on the 18th May, 1870, present—His Grace the Archbishop of Dublin in the chair; H. M. Pillington, esq., q.c.; and the Archbishop of Dublin; the Archbishop of Dublin sanctioned the following scheme for the management of the school:—^a Proposed rules for the management of Mrs. Wray's school. First, the school to open each day and close with prayer; second, the school hours to be from 10 A.M. to 1 P.M. and from 1½ P.M. to 5 P.M. each day; third, each teacher to be present at the opening of the school; fourth, each teacher to take part in teaching in the Sunday school; fifth, the school to be under the same control as all parochial schools, subject, however, to any rules which the trustees may impose; sixth, a time table to be posted in the schoolroom, and the course of instruction to be subject to the approval of the trustees; seventh, the vacation to be three weeks at Christmas and one week at Easter; eighth, premiums in clothes or books to be distributed at the discretion of the trustees; ninth, a portion of bread to be given daily to each child who requires it." It is an infant school in point of fact. It was resolved that this scheme be approved of.

Lord Justice FRYGROVE.—This case of St. Peter's school is a very important one as a precedent; because it is a case to which a great number of others are analogous. I do not say it is entirely free from doubt, or that the judgment we come to is plainly right. The decision is that those schools are not within the exemptions of the Act of Parliament. I will shortly state the reasons why. The schools are manifestly of a very early foundation. The earliest records are over 100 years old. At that time there was an existing school and the minister do not throw any further light upon its origin any more than the Report of 1856; but finding them described from the commencement as schools of St. Peter's parish, or as the charity school of the parish, or as the schools for the poor of the parish, they would appear to be schools established in accordance with the parochial system, and as part of the parochial system in that parish. But furthermore we find that down to the present time the trustees of the schools are entitled "the minister and churchwardens." The minister and churchwardens were a corporation who represented the entire body of the parish. So long as only one denomination was recognised by law, of course the minister and churchwardens represented that denomination only; but as other denominations came in to be represented and were relieved from disabilities previously existing the minister and churchwardens continued to represent them in lay parish matters to a considerable extent. But it is an important thing that from its earliest history this was a parish school. The trustees were the minister and churchwardens, and from a time when they did represent the entire body of the parish irrespective of their religious denominations, a number of regulations which were from time to time adopted with regard to the school, were brought before us. These are not altogether consistent. There is one of a very early date directing that not merely the children of the boarding school, but the children of the day school are to attend the parish church. It is a domestic regulation, not inconsistent with the children remaining Protestants of other denominations. The child does

not cease to be a Presbyterian because he goes to a school of which it is portion of the regulations that the Scriptures are to be read in the morning, or that the children are to go to church. The fact is that in 1855, and also in 1880, there was a proportion, though not a large proportion, of children of other denominations attending the church schools, and, therefore, the endowments have not been exclusively applied to the children of one religious denomination. The property is now stated to be to be vested still in the minister and churchwardens, notwithstanding that the Report of 1880 points out there is no body now lawfully recognised under that name. The churchwardens are no longer elected by the whole parish. They are not even any longer elected by the whole body of the members of the church in the parish, but only by such members of the church as comply with certain domestic regulations made by the church itself and all placed on the register. Therefore we have difficulty in regarding the property as being vested in any known or existing body, and I am perfectly satisfied that in holding that this school is not exempt from the statute, we take a course that is for the benefit of the church itself. And why? Attention has been called to the effect of the 13th section; while our power goes beyond those of the Court of Chancery, and include powers that generally belong either to Parliament or to the Crown, yet in the exercise of those wide powers we are by no means untrammelled—our duty is to have regard to the functions of particular institutions, and where we find any institution provided for persons of any particular area or class, we are compelled to see that those persons' rights are fully attended to. Looking to the history of the boarding school, it has been entirely maintained either by the members of the congregation attending the parish church or through their agency by subscriptions and collections in the church, and is therefore a school of which the property has been almost entirely, if not quite entirely, contributed by the members of one particular denomination. It will be the duty of the Commissioners in settling a scheme to see that the intentions of the people who gave their money are respected. We have not to deal with a case of public property. The daily school on the contrary is an old parochial school turned into a congregational school but the persons formerly representing the parish are no longer recognised by law. For these reasons I hold—and I am perfectly convinced I am deciding in the interests of the charity—that it is not exempt from the provisions of the Act of Parliament. Mrs. Wray's Charity has a very important bearing on the question of the exclusive character of the daily schools; for the trustees of Mrs. Wray's school have the ownership at a nominal rent of portion of the parochial school premises. That lease at a nominal rent was granted under the sanction of the Court of Chancery, and is a judicial declaration that it was not a breach of trust to apply so much of the property of the parish school as is held under that lease for the purposes of the Wray school, which is not exclusive. Having disposed of the question of law, we will leave no doubt on the minds of those here that that question is entirely distinct from the question of the provisions of the scheme, which must be framed in accordance with the intentions of the founder.

Lord Justice NASH.—I agree with Lord Justice Frygrove's judgment. I cannot say I do not feel some difficulty in the case; but what influence we feel reference to it is this: I have here the rules which the existing rules of the institution, and these show that there are two classes of schools (1), the boarding schools, and (2), the daily schools. As regards the boarding schools, the rules provide expressly that the children must be of parents of "the Church of England," as it is styled here, and those children would of course themselves be members of the Church of England. That is a plain declaration that as regards the boarding schools they are provided exclusively for children belonging to the Church of England. But with regard to the daily schools, there is a marked omission

of any provision of that kind, and I look upon that as equivalent to saying that as regards the daily schools the governing body do not insist upon the regulations rendering it exclusively applicable to children who are members of the Church of England. As a matter of fact, I find that Roman Catholic children, and I believe children of other Protestant denominations, were received into those schools. If those rules were properly made, if they were not *ultra vires*, if they were not a breach of trust by the governing body, they are decisive on this question, that the schools were not provided exclusively for children of the Church of England. On the contrary it would be decisive that they were provided for children of other denominations as well. I am not prepared to say that the gentlemen of the governing body who framed those rules did violate their duty in so framing them, and as I am not prepared to say that, I think it necessarily follows that such schools having been carried on since the rules were made, a period of twenty-five years, they are not stamped with the character which would give them the benefit of the exemption of being provided exclusively for children of the Church of England. If those rules were out of the question I would find some difficulty in dealing with the case. Looking over the minutes I am not satisfied that this was a parochial school in the proper sense of the word. It appears to be a charity school and not a parochial daily school, but no light is thrown on its original foundation or how it was founded. It was a school, I would say, which was managed exclusively by the ministers and churchwardens of the parish, and very likely, as things were at that time, they were very glad to get in Roman Catholic children, and children of other denominations, but for the purpose of educating them in the Protestant faith as then established by law. But if I had to determine the question upon the minutes, and irrespective of the rules, I would feel great difficulty in saying that the schools were not provided exclusively for children of the Church of England, or Church of Ireland as it is now called. On the existing rules, however, of the Institution, I do not think I am at liberty to pronounce an opinion, and hold that those rules were made *ultra vires*, and they do say, in so many words, that, "as regards our daily schools, we provide them for children of all denominations, subject to our regulations; but merely because a child happens to be a member of, say, the Presbyterian Church, or of the Jewish Church, we do not exclude them on that account;" and I am not warranted, therefore, in saying that those schools are exclusively applicable to children of the late Established Church.

Dr. TRAILL.—I am sorry I cannot agree with the decision of the Lords Justices. If it was merely on a point of law I would waive my opinion on the matter. But I think it is more than a point of law; I think it is a question of fact. I feel constrained to hold that the parochial schools of St. Peter's are exempt from the jurisdiction of this Commission on both the grounds named in the Act, viz.:—That the endowments are "applicable and provided exclusively" for the benefit of children of the Church of Ireland, and because the governing body is composed exclusively of persons of that religious denomination. It does not appear to me sufficient to upset the first condition of exemption that the funds should be at present applied partly, through the liberality of the managers, to children of other religious denominations. The Act does not say "applied," it says "applicable and provided for." As regards the present existing rules referred to, which are now brought up to disprove the denominational character of the schools, because by them the daily schools are open to children of all denominations, I cannot bide from myself the fact that these are not the original rules under which the schools were managed; and there is no doubt that the rules established in 1791 made no distinction on this matter between the boarding schools and the day schools. It is admitted that the boarding schools are

exclusively restricted to Church children, and possibly, from the working of any such schools, they must necessarily be so restricted. But, as far as I read the original rules of 1791, I see no difference whatever in the regulations to be observed in the boarding and day schools. The master's duty was not only to teach the children the Scriptures and the Church Catechism, but also to take them to St. Peter's church every Wednesday and Friday, and they were not permitted to be absent without his leave. In the present rules a distinction is made. The boarders must be Church children, and the children exclusively of Church parents (as in the original rules of 1791), but for day pupils the stringency of those old rules has been relaxed, and what is equivalent to a conscience clause is introduced in accordance with more modern ideas. These latter children "are expected" to go to church, but may be relieved from this condition by the written wish of their parents or guardians. As a matter of fact some three or four Roman Catholic children have come to the school from time to time. There is only one there at present, and no Presbyterians or children of any other Protestant denomination go there. This seems to me to be as purely a Church school as it is possible to find, and I think more liberality on the part of the managers should not set aside the fact that the endowments were provided exclusively for the benefit of Church children. I consider that the use of the schools under the Incorporated Society, which we have declared not to be exempt, on these grounds, is quite different from this case, because, though nothing in the way of religion except Church doctrine was to be taught in them, the charter expressly states that one of the objects was "to convert the children of Popish parents to the true religion" of the then Established Church. As regards the question of the governing body also, if it were a matter of law, I would yield my opinion; but I think it is a matter of fact. Lord Justice FitzGibbon, in his judgment, has admitted that the ministers and churchwardens originally were necessary members of the Church, but added that when the Emancipation Act was passed those churchwardens were to represent the whole body of the parishioners. At the present moment the schools are under the exclusive control of a governing body composed of persons of one religious denomination, and it is equally certain that those endowments were originally provided exclusively for the benefit of persons of one religious denomination, and it does not seem to me to alter the fact of that exclusive control at present (which is what our Act requires) to say, that between the two periods to which I have referred, it was possible for churchwardens to belong to any other religious denomination, because they, or rather one of them, was to be elected (mostly for civil purposes) by all the parishioners. On the contrary the endowment is for the children who, if not of the particular religious denomination, were bound to do the duty of persons of that denomination. It is perhaps a fortunate circumstance that the decision of the majority is the other way; I think it will be for the advantage of the schools themselves to be within the Act. At the same time I think they might have got the benefit of the Act by coming in with their own consent.

Professor DOUGHERTY.—As this seems to me to be a purely legal question I do not feel called upon to do more than express my concurrence generally with the judgments given by the Lords Justices; but, as one of the Assistant Commissioners, whose duty it will be to prepare a scheme, or at all events to revise the draft scheme submitted by the governing body of this endowment, I may be allowed, perhaps, to make a single remark. I hope the governing body of the school will dissent from their minds the idea that this Commission has any intention, or, indeed, any power, to divert the endowment from the use to which it has hitherto been applied, or to interfere with the trusts in any way contrary to the spirit of the founder's intentions.

The Commission adjourned.

March 1, 1886.

MONDAY, 1ST MARCH, 1886.

At the Office, No. 23, Nassau-street, Dublin.

Present:—Right Hon. the LORD CHANCELLOR, and the Right Hon. Lord Justice FITZGERALD, Judicial Commissioners; and ANTHONY TRAILL, Esq., M.D., LL.D., F.R.C.D., Rev. GERALD MOILLY, D.D., B.Sc., F.R.E.L., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

THE ROYAL SCHOOLS.

The Royal
Schools.

Mr. J. Orr, q.c. (instructed by Messrs. A. Robinson & Son), appeared for the Commissioners of Education. Mr. J. J. Sless, (instructed by Mr. Henry), appeared for the Intermediate Education Committee of the General Assembly of the Presbyterian Church.

Dr. Webb, q.c. (instructed by Messrs. Crowley & Tobias), appeared for the Methodist Church generally, Methodist College, Belfast, and Wesley College, Dublin.

The Hon. the Recorder, the Dean of the Chapel Royal, and Mr. W. G. Brooks, appeared for the Standing Committee of the General Synod of the Church of Ireland.

The LORD CHANCELLOR.—Before commencing the proceedings, I wish to state on behalf of the Commissioners, that we held a meeting on Saturday to consider the course we should adopt on this and other inquiries before us, and the conclusion we arrived at as to the most convenient course was, that the Governing Body lodging the scheme should be called on to state to the Commissioners the nature of the scheme which they proposed, and the grounds on which they put it forward, and then go into evidence in support of that scheme. We shall then afford to all other bodies appearing before us an opportunity of discussing that scheme, and bringing forward such evidence as they may think fit in support of their views. We will deal first with the scheme put forward by the Commis-

sioners of Education in Ireland, as it will be important in connection with the existing endowments, that some scheme should be settled for the management of those endowments, or for the sale, if necessary, of the estates. We are anxious on this inquiry that the question as to the best mode of administering the estates, and of constituting a body for their management should be gone into before us, and that we should have the views of the several parties appearing before us on the subject, and of course, in connection with that, will arise the claims of the several parties having vested interests in those endowments, and the question as to how those should be dealt with.

Mr. Orr, q.c., made a statement on behalf of the Commissioners of Education in Ireland.

* Robert McDowell, Esq., sworn and examined.

Robert
McDowell, esq.

LORD CHANCELLOR.—The most convenient course will be to have evidence of the actual state of the existing property at the disposal of the Commissioners of Education, and the management thereof. We would then wish to have evidence of the actual state of the existing schools. And lastly we are desirous of having the question gone into of the constitution of the new body proposed for the management of the endowments, and the particular schemes proposed.

1. Mr. Orr, q.c.—Mr. McDowell, you are the Secretary of the Commissioners of Education in Ireland?—Yes.

2. I believe you drafted these schemes under the supervision of the Commissioners?—The Commissioners adopted the scheme and asked me to draft the heads of it into the various paragraphs. I did so, and the next day submitted those paragraphs to them, to enable them to make any alterations they might think proper, so that a clause might be adopted or stand over for further consideration, and might be amended before the final approval of the scheme on the first day of the month of January.

3. With reference to the property of the schools, state to the Commissioners what it is?—I have sent in a return to the Commissioners of the property of the schools comprised in the scheme.

4. Lord CHANCELLOR.—Take each school, and begin with Armagh?—With regard to the property of the Armagh School, the amount of Government Stock is £1,019 14s. 2d., which represents the sale at some previous date of land to the Railway Company, and we called it always railway land investment. We

consider that represents the original land, and therefore property which we could not deal with but as capital, for we could never use anything but the income derived from it. Besides that item of property we have from time to time in our hands cash to the current account of Armagh, but sometimes the account might be overdrawn.

5. That would be cash arising from the income of this property?—Yes, and also collected rents lodged by our agent. Then we might have also cash in the hands of the agent, that is rent. The next would be arrears of rent due by tenants, if any existed. I cannot say whether any do or not, and of course that would vary from day to day.

6. Now, as to the landed property?—Lands, tenements, and hereditaments used as the school premises; that is actually the house property of the schools.

7. Confine yourself at present to the Armagh premises; what is their value?—I cannot say. You have a report from the architect.

8. Rev. Dr. MOILLY.—You can tell us the valuation of the various school buildings?—I could not attempt to do so.

9. Lord CHANCELLOR.—Proceed?—Then we have got the main endowment of property originally granted by King Charles I. That is set out in a detailed report forwarded to the Commissioners by me. It was filed in by the agent of the property, Mr. Wynn, and set by myself.

10. From that return what is the gross rental?—I will give the rental as returned last April, and I cannot say anything with regard to it since then. At that time £1,268 5s. was returned by the agent as a year's

* See also App. B, Nos. V. (c), V. (d), V. (e), V. (f), V. (g), V. (h), V. (i), V. (j), V. (k), V. (l), V. (m), V. (n), V. (o), V. (p), V. (q), V. (r), V. (s), V. (t), V. (u), V. (v), V. (w), V. (x), V. (y), V. (z), pp. 410-434.

† App. B, No. V. (c), p. 435.

‡ App. B, No. V. (d), p. 435.

rent due in November, 1884. That is the last return we have got up to the present.

11. Are you aware of the nature of the lettings on that property?—Yearly tenancies, and nearly all fixed rents under the Land Act.

12. Have the tenants come in and had judicial rents fixed?—Nearly every one of them on the Armagh estate.

13. £1,268 5s. includes the judicial rents fixed to November, 1884?—It does.

14. In the greater number of cases have judicial rents been fixed?—Yes; on the Armagh estate.

15. Lord Justice Fitzgerald.—The latest return we have given the gross rental of the Armagh estate—£1,251 0s. 3d.—Yes; that is the latest return: later than the one I have been speaking from. This return was made up specially for this Commission, and it was filed up since last April, and some of the rents have been fixed since April.

16. Armagh, 1,391 acres; Poor Law valuation, £1,705 5s.; yearly rent, £1,251 0s. 3d.—Yes. * (Return handed in.)

17. Lord CHANCELLOR.—£1,251 is the gross rent?—Yes.

18. The outgoings are £284; can you tell us how these are made up?—The outgoings, as returned on the 24th November, 1885, by our agent set out the items.

19. Lord Justice Fitzgerald.—The printed return you have for 1885, which you handed us in; is that correct?—I believe it to be perfectly correct. I only got it on Saturday. The detailed rental is furnished by the agent, Mr. Wann.

20. Where does he live?—He lives in Co. Armagh. His address is Marshhill.

21. The outgoings come to how much?—I find the total is £201; rent charge, £20 15s. 6d.; cess and cess, £1 3s. 3d.; miscellaneous items, £23 1s. 5d.; and others, making a total of £201.

22. What is the net income of the school from its estate?—It is exactly £1,050 0s. 3d.

23. Rev. Dr. MONAGHAN.—We had got already £1,004; that applies to a different year?—Yes.

24. Lord Justice Fitzgerald.—As regards Armagh, I believe this is correct in substance, rental of Armagh, £1,251 a year, as returned by the agent. Expenditure for 1885, £254 17s., including your law expenses; in round numbers, income, £1,250; outgoings, £254. In substance that is accurate?—Precisely that is accurate.

25. That is exclusive of school houses and school premises, but inclusive of all other property belonging to the school?—Yes; except the interest on the Government stock.

26. Lord CHANCELLOR.—The income for Armagh may be taken as being about £1,000 a year?—Yes; and £30 more for interest on its Government Stock.

27. Now, take Dungannon; what is the amount of stock standing to the credit of the school?—£465 6s. 8d. Government Stock of two different kinds, one railway land investment, the other £25 7s. 11d. representing simply general savings on Dungannon. With regard to the general savings, I may mention it is simply savings from the income of the school. The Commissioners have considered they are at liberty to make use of it. As regarded the railway land investment, they consider they have no power to use it, except, of course, the income.

28. There are school buildings and premises belonging to the endowment as well?—There are.

29. Mr. O'NEILL.—As regards the school buildings and premises, you want the valuation.

30. Lord CHANCELLOR.—Yes?—The next item I have returned is cash in bank to current account. The amount of that varies, and I cannot approximate it. The next item is chattel property, and the next account of rent due by tenants on the estate; next item again, school property, namely, the buildings. Then comes the landed estates representing the original endowment.

31. What is the gross rental?—The gross rental I

have got. The yearly rent returned by the agent for the purposes of this Commission is £1,748 5s. 1d.

32. Lord Justice Fitzgerald.—In the case of Armagh the gross rental was £1,251, and they received out of the lands £1,200. That is only £50 short. At Dungannon the rental is £1,748, but you only received out of that during 1885 £1,393 1s.—Yes.

33. So you will observe there is some £350 short. Your expenditure in Dungannon would appear to be £267 5s. 11d.; total receipts, £1,400. Therefore in Dungannon, with a rental of £1,748, you have only got £233 available for the school. In other words you spent nearly fifty per cent. of your gross rental. Can you explain that? The expenditure in 1887, the actual outlay—I have not got an estimate of it.

34. I am not asking for an estimate. By your actual accounts of last year you expended £267 5s. 11d. The rental was £1,748 5s. 11d. The receipts from land were £1,311, and another item of £83, and totted together, £1,393 17s. 10d. Have you any information as to how it was there was so much larger non-payment of rent on the Dungannon estate than on the Armagh estate?—I have no information as to that.

35. Do your Commissioners investigate the accounts of the agents to ascertain why they don't collect the rents?—They certainly do. I have been only in this office one year.

36. But you were in it last year?—Yes.

37. What has been done to obtain an account from your agent why it is that in Armagh they collect almost the full rent, and in Dungannon you are nearly £400 short?

38. Mr. O'NEILL.—In Armagh the rents are judicial rents, and on this estate, as I understand, there are no judicial rents. The poor law valuation is £1,567 1s.—Fifteen—These receipts handed in are receipts up to the 31st December, 1885.

39. Lord Justice Fitzgerald.—I quite understand that. I was simply asking whether any arrangements were made by your board or with your agent for ascertaining why a larger income was not received from the estate. What do you do to keep up the receipts from the estate?—This very day I intended to write down to Mr. Francis to know why on one of our estates there is so much difference in the amount collected of rents in 1884 and 1885.

40. How do you pass your agent's account?—He sends us an account every month, and at the end of the year, about April, he sends us an annual account.

41. Dr. TRAILL.—May it not be explained by the difference between the rent and the Poor Law Valuation in each case?—In Dungannon, the Poor Law Valuation is £1,515, and the rental is £1,748. Whereas in Armagh the valuation is £1,567, and the rental £1,398, so that the rents should be more easily collected in the latter than in the former case?—That is so.

42. Lord Justice Fitzgerald.—What I want to ascertain is how do you manage your estate?—Your agent, you state, sends you reports once a month?—Yes.

43. Have you any record of allowances made to tenants on the Dungannon estate?—Certainly. If a tenant memorialises the board for an allowance, he sends forward the memorial, and it is sent to the agent for his report, and the agent reports as to whether there should be any allowance, or how much ought to be allowed. That report is then considered by the board, and if they grant the allowance, it appears on the minute book.

44. During 1885, have there been any allowances, and if so, what amount on the Dungannon estate, sanctioned by the board?—There have been allowances in many cases. Many of these memorials have been received. I can't say how many from Dungannon. Each particular case is recorded on the minutes, and I will, if required, make an account out of such as appear on the minute book of allowances to tenants.

March 1, 1885.
Witness
M'Donnell, esq.

45. I would be glad to have a return showing what the difference consists of. Now, on the other side, you received out of this Dungannon estate nearly £1,400 in 1885?—We did.

46. Your expenditure is £267 5s. 11d. 1—Yes.

47. And your expenditure on the Dungannon estate for agents and business is £114 6s. 9d. 1—Yes.

48. How is that ascertained?—That is the agent's fees. He is paid five per cent., and there are fees in addition for bailiffs.

49. Five per cent. would be only £70 1—That is a point I can explain. This £114 consists of fees paid to the agent in 1885, and the agent gets that on his annual account, forwarded to us in April, 1885.

50. Lord CHANCELLOR.—That is in respect of the rents of 1884?—Precisely; from April, 1884, to April, 1885. What I want to show is, that £114 has no reference to the amount received by the agent in 1885.

51. Lord Justice FITZGERALD.—In the receiver's account, the receiver or agent deducts his poundage from what he is paying in. Is that your practice?—Yes.

52. Then the £1,400 must appear as being an amount on which the poundage is deducted?—Not on this account. The agent collects the rents monthly as best he can.

53. Lord CHANCELLOR.—Does he pay them in without deducting any poundage?—No lodges large sums from time to time.

54. Lord Justice FITZGERALD.—Does he deduct his poundage when he pays in his rents?—Yes.

55. Then, if he does, it must appear in the account?—No.

56. If the money he pays in is money on which he deducts poundage, must not the poundage appear on the outgoing?—Our agent's account is taken from April to April. The agent's deductions are made on his collections of rent from April, 1884, to April, 1885, when he sends in the agent's account. That £114 represents the amount he has deducted from the rents of April, 1884, to April, 1885.

57. Lord CHANCELLOR.—What would £1,311 1s. 7d. represent—does it mean the gross receipts, less by the poundage deducted by him?—It would represent money he lodged from January, 1885.

58. Lord Justice FITZGERALD.—The whole question turns to what the Lord Chancellor has asked. If he deducts his poundage, it is clear the poundage and the rent must appear in the same account. If he lodges the money in a lump sum he must be paid back his poundage. Do you pay the agent, or does he pay himself?—He pays himself.

59. What bailiff's fees do you allow on this Dungannon estate. Do you pay bailiffs besides?—Yes, we do, we pay bailiffs in addition.

60. There is £244 11s. 8d., which seems a very large sum; is that all for taxation?—Poor rates, tithe, and income tax. The agent makes these payments, and he forwards the various vouchers for them to the office.

61. £13 3s. 8d. allowances for improvements; these are allowances to tenants?—They are allowances to tenants, or small expenditure by the agent.

62. The next item is £119 18s. 4d. for miscellaneous expenditure.—That miscellaneous expenditure embraces a tremendous number of items.

63. Can you explain why it is in Dungannon you have for miscellaneous disbursements £109 18s. 4d., and for miscellaneous disbursements in Armagh only £87 1—I can explain that at once. The Dungannon agent came time last year—it was before my time—asked for liberty to have a survey made. That survey was made, and it came to £86. That accounts for £86 of the £109 18s. 4d.

64. How does it happen that in 1884, when there was no £86 to be taken into account, the expenditure is £139 1—I cannot explain that.

65. Law costs £86 8s. 1—There were a number of cases taken to the Land Commission, settling rents, and we were beaten in them all.

66. Rev. Professor DOUGHERTY.—I thought you said there were no judicial rents fixed?—There were cases in the Land Commission Court.

67. Lord CHANCELLOR.—Were there judicial rents fixed on the Dungannon estate?—I am satisfied those law costs have reference to fixing judicial rents.

68. Lord Justice FITZGERALD.—The net result is that the rental of the Dungannon estate is £1,742, the receipts £1,400, and the expenditure on the estate itself £267 1—Taking the figures as correct, that is so.

69. And the outlay was more the year before?—The expenditure on the estate is correctly stated.

70. Lord CHANCELLOR.—The rental of the Dungannon estate you say is how much?—£1,742. Have landed it in.

71. Lord Justice FITZGERALD.—Who is the agent on the Dungannon estate?—Mr. Moore.

72. Where does he reside?—At Lurgan.

73. Lord CHANCELLOR.—Where is the estate principally situated?—It is principally situated in the county Tyrone. It is on the borders of Armagh and Tyrone.

74. Dr. TRAILL.—Who was the solicitor to whom the bill of costs was paid?—Mr. Moore himself. I am perfectly certain a great many judicial rents were fixed on the Dungannon estate.

75. Lord Justice FITZGERALD.—The solicitor who was engaged was also the agent?—Yes. There was a great number of fees, and I think they were very small fees. I think I can get the bill of costs.

76. You have not £250 to spend on the sale out of a rental of £1,742; £1,400 receipts; £267 expenditure; £833 remains?—That is so, that is left right for the year 1885.

77. Lord CHANCELLOR.—Are you able to fix the net rental on the estate; the gross rental you state is £1,742; are you able to tell me the yearly outgoings out of the rent—what they amount to?—I find I have not got with me the estimate of the outgoings for the Dungannon estate.

78. It is necessary we should have them. I don't mean casual outgoings, such as attorney's costs, but annual outgoings, such as tithe rent, agent's expenses, and expenses of bailiffs?—Yes.

79. It would be useful to give us a statement of the gross rental, the permanent necessary outgoings, such as taxes, and an account in gross of what you pay for poundage, and bailiffs' fees.

80. Mr. Orr, q.c.—£1,742 was the rent before the judicial rents were fixed.

81. Lord Justice FITZGERALD.—Mr. M'Donnell says he will get us what is required. What statute is it not the rental, but the fact that out of £1,400, nearly £700 is gone in expenses. Can you state what was the rental on the Enniskillen estate in 1884?—I can. The gross rental as returned to April, 1885, £2,151 11s. 11d.

82. And the gross receipts from your account for the year 1885, £1,272 3s. 7d. 1—Yes.

83. And your expenditure on that is £404, but no law costs. The gross rental is £2,151, net receipts, £1,272, expenditure £404. In round numbers thirty-three per cent. That would leave you a net income of £870 1—That is pretty accurate.

84. Lord CHANCELLOR.—That is the net sum you received during the year?—Yes.

85. You got £87 14s. 4d. more from money. That gives you £950 net income?—Yes.

86. Out of the rents there must be a larger net income than £950 received, and I see there was each balance at the commencement of the year?—The income from stock was £87 14s. 4d.

87. Lord Justice FITZGERALD.—In the previous year you received £2,000. What is the condition of the Enniskillen estate?—I think there are some judicial rents fixed on it, but I do not think there are many fixed on the Enniskillen estate. During the time I have been in the office, I do not remember any judicial rents being fixed in reference to it.

88. Lord CHANCELLOR.—The gross rental is £2,154

—The outgoings given by the agent leave a balance of £1,468.

99. Lord Justice FRYGIMON.—On this Enniskillen estate, Mr. Murphy reported sub-division prevailed to a most disastrous extent. A holding of seven and a half Irish acres is the rule, and not the exception as this unfortunate estate, and the tenants were in a most unsatisfactory condition. The tenants are in an unsatisfactory condition. There is the most determined opposition this year to paying rent, and they want us to reduce them by 50 per cent.

100. Dr. TRAILL.—There is an statement made this year of 15 per cent. Yes. That statement took place on the rent due in November last, and it has cut down the amount received up to the 31st December.

101. Lord CHANCELLOR.—You are not in a position to tell us what the net rental of the Enniskillen estate is or ought to be?—I have put in the return drawn up by the agent.

102. Were the figures you gave us taken from this return. You told us the gross rental was £2,154. Did that proceed on the assumption £2,154 represented the rents that could be got out of the estate?

103. Mr. Orr, Q.C.—It proceeded on the assumption the rents were paid by the tenants.

104. Lord CHANCELLOR.—And no calculation was made of what the judicial rents would be, or what the deductions were to be?

105. Mr. Orr, Q.C.—No.

106. Dr. TRAILL.—What is the Poor Law valuation?

107. Lord Justice FRYGIMON.—It was valued in 1816, at twelve and a half per cent. over the present Poor Law valuation. £2,500 is about the present Poor Law valuation. It is described in the Report of the Commissioners of 1881, as land of excellent quality (Rents extract from the Report). The Poor Law valuation of the land is much lower.

108. £2,154 is eight and a half per cent. below the Poor Law valuation?—Mr. Orr, Q.C.—It is.

109. Lord CHANCELLOR.—Now, as to the Raphoe estate. What is the gross rental of Raphoe?—£209 5s. 6d.

110. Lord Justice FRYGIMON.—In 1880, you received £425 out of the Raphoe estate; £200 10s. the agent and bailiffs received; and that nearly 30 per cent. That amount there charged in this account for agent's fees is in reality referable to a previous account.

111. Lord CHANCELLOR.—£425 is the amount of rent received. £209 is the rental; and you allow a shilling in the pound to the agent, £21. How can you account for the great difference between £21, the ordinary payment and the sum of £90?—That £90 for agent's fees has reference to the amount received from April, 1884.

112. Lord Justice FRYGIMON.—But the agents and bailiffs received £24 17s. in that year?—The amount received from April, 1884, to April, 1885, is not shown on that.

113. If your case is that the poundage represents poundage on receipts the previous year, I find you only got in that year £259, and the agent and bailiffs received £55 17s. 10d.—The agent's fees on this estate are 10 per cent. The amount received by the agent from April, 1884, to 1885, was £707.

114. Dr. TRAILL.—It is the rental of one year and the arrears of another year?—You would have to go back for a number of years.

115. Lord Justice FRYGIMON.—I have gone back, and I cannot find the agents and bailiffs are getting any less. Does your agent not only get ten per cent, but is he allowed for a bailiff besides?—Yes, he is.

116. The next item, £205 5s. 5d., for poor rate; improvements, £48; miscellaneous disbursements, £27 11s.; have you any idea what that is for?—I have a good idea, and I will give you a list of some of the items. There is a portion of it for stationery in the office, for any printing done, for interest on overdrafts, the auditing of the accounts, our hire by

the agent, receipt stamps, posting by the agent, rent statements, and a number of other items. I have taken down some of these items. Then there is proportion of salary, £170, to Mr. Fleming.

117. The Raphoe gross rental, £209; net receipts, £425; expenditure £236; so that you spent on the Raphoe estate 60 per cent. out of the rental?—It is a very large per centage.

118. Rev. Dr. MOLLOY.—Have you any stock in connection with Raphoe?—No, I think none.

119. Lord Justice FRYGIMON.—Now, as to the Carran estate. What is the rental on the Carran estate?—£254 is the Carran estate return for 1884. That is the rental returned on the 13th May.

120. Here is an estate in which you get substantially all your rent, £252 you received during the year. You have an accumulation of money in respect of Carran, producing £156 for the year?—Yes, a very large accumulation.

121. The item for agents and bailiffs there is £36 10s. 9d.?—Yes.

122. Poor rates, £43 5s.; improvements, £155 5s. 6d. What are the miscellaneous disbursements, £109 18s. 6d.?—The item of miscellaneous disbursements is very large.

123. What are the largest ones?—The largest are part of Mr. Fleming's salary, office expenses, rent statements.

124. Do you put rent statements in that expenditure column?—Under miscellaneous.

125. Lord CHANCELLOR.—But you put in only rent received?—No, I was quite wrong.

126. Lord Justice FRYGIMON.—The expenditure as to Carran. The rental, £254; receipts for 1885, £252; expenditure for 1885, £171. That leaves you in respect of Carran, £281, to be added to that £156 interest on money?—Yes; approximately.

127. Lord CHANCELLOR.—Have you totted up the net income of the different schools?—The net receipts are totted up.

128. What are the net receipts?—The total receipts are totted.

129. Lord Justice FRYGIMON.—For 1885, the total receipts are, £5,141; salary, £1,828 18s. 6d.; leaving a net landed income of £3,312. Now as regards Banagher?—The rental of Banagher is £181.

130. You received out of that £181?—We received out of that £189.

131. The agent and the bailiff get £15 6d., and disbursements £12 10s. 9d., and no law cost?—Yes.

132. Rev. Dr. MOLLOY.—The net available sum was how much?—That would leave £150 available.

133. Any stock in respect of Banagher?—No stock, but £10 is the income for Banagher from all other sources.

134. Lord CHANCELLOR.—Now as to the existing actual state of the schools?

135. Rev. Dr. MOLLOY.—What was the total amount of money available last year in these schools?

136. Lord CHANCELLOR.—The gross rental amounts to £5,417, and the outgoings in respect of agent's fees, and the outgoings in respect of poor rate and tithe—£1,118; so the most that could be got out of the estates is £4,304. That does not take into account the necessary reductions which will have to be made and other losses that may occur, so that at the best the income will be between £4,300 and £5,000 a year?—Mr. Orr, Q.C.—That is a fair calculation.

137. Lord CHANCELLOR.—If these estates came to be sold at 20 years' purchase, the total amount of the purchase money available would be between £90,000 and £100,000, the income from which would amount to from £2,700 to £3,600, and the income we may look forward to as being at our disposal to regulate the application of, will not be £3,000 a year.

138. Mr. Orr, Q.C.—You must add the existing stock.

139. Lord CHANCELLOR.—It does not amount to

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more than between £200 and £300. You may take £3,000 a year, if those estates come to be sold, as the income we may look forward to as being at our disposal.

Mr. Orr.—That is so.

130. Lord CHANCELLOR.—If sold at 30 years purchase it would be about £3,000 a year.—Yes.

131. Now proceed with regard to the actual state of the schools, the number of boys attending the schools both as boarders and day scholars?

132. Mr. Orr, q.c.—Take Armagh.—The number of boarders on the 1st February this year, 1886, is forty-five boarders at Armagh.

133. Lord CHANCELLOR.—Are the returns called for and furnished every year by the head masters of the different schools of the number of pupils attending?—They are. That is the return from Armagh (headed in).

134. Lord Justice FITZGERALD.—The number in Armagh, forty-five boarders and forty-one day boys returned from Armagh on the 18th February, 1886?—Yes.

135. In 1880, there were ninety-seven boarders and forty day boys; fallen from 137 to eighty-seven?—That is so.

136. Are those figures correct in 1880 and 1881, seventy-eight boarders and eighty-two day boys?—I have got the report here.

137. In 1881 and 1882, seventy-four boarders and sixty-eight day boys; in 1883 and 1883, seventy boarders and fifty-six day boys; in 1883 and 1884, sixty-six boarders, forty-six day boys; in 1884 and 1885, sixty boarders and forty-two day boys; in 1885 and 1886, forty-five boarders and forty-one day boys?—That return is no doubt correct.

138. Is this a fact, that in Armagh, year by year, for the last six years, without intermission, there is a diminution in the number of boarders from seventy-eight to forty-five, and in the number of day boys from eighty-two to forty-one?—I have no doubt that is correct.

139. Can you give any reason for that?—The fact that this Commission was not established earlier.

140. Do you think the establishment of this Commission will bring it back to the full number?—I think so.

141. To what do you attribute the fall?—Partly to impending legislation.

142. But the impending legislation doubles the number at the Monaghan School the moment it gets away from you?—I cannot speak as to that.

143. Forty-five boarders now at Armagh and forty-one day boys?—Yes, I believe that is correct.

144. The Recorder.—I have been told by Mr. Morgan one of the great reasons of the diminution is because of what the Commissioners considered were the limitations of their powers, and they were obliged to deprive Armagh of the Royal School Exhibitions, and these exhibitions were for several years discontinued from Armagh, and to that fact he attributes the falling off.

145. Lord Justice FITZGERALD (to Witness).—When did they first discontinue?—In 1833.

146. Then the previous fall cannot be accounted for by what then happened?—No; the fact of the Royal scholarships being discontinued at Armagh is one reason of the diminution.

147. Rev. Dr. MONAGHAN.—Do you mean Royal Scholarships held in Trinity?—In Trinity College, and only obtained by boys from Armagh school.

148. They go to Armagh with the view of getting these scholarships?—I think so. They can only get them after they have been in Armagh for three years.

149. Rev. Professor DEVEREAUX.—Did they obtain exhibitions to be held in the school as well as the Royal scholarships?—The school exhibitions were entirely abolished some years ago.

150. Lord CHANCELLOR.—Forty-five boarders and

forty-one day boys, and net income available £1,086. That means there was a free endowment in the case of Armagh of a sum of over £10 for each boy?—Yes, over £10—nearly £13. I think there was not more than £900 expended last year.

151. But there was a net income of £1,086 available for the school?—That is so. Armagh School was in debt and portion was applied in reduction of debt.

152. Lord Justice FITZGERALD.—What boys had you in Dungannon?—There were only three boarders, one the son of the master, and I do not know whether to call him a boarder or not.

153. You have three free scholars?—Yes, one being the son of the master.

154. How many day boys?—There are twenty-five day boys.

155. Lord CHANCELLOR.—The net income available last year was £1,181?—Yes; but that includes the arrears for the year 1885 uncollected. Are you wanting up how much was expended on each boy?

156. No, but that was the total fund actually available during last year for the purposes of the school?—Yes. In dealing with the fund applicable to the number of boys being educated at the school, you must exclude from that the amount applied to the Royal scholarships, for that is applied to boys who have left the school, and who have entered the university.

157. Lord Justice FITZGERALD.—In 1880, Dungannon is returned as having twenty-one boarders and eighteen day boys, a total of thirty-nine; in 1881, ten boarders and twenty-seven day boys; in 1882, nine boarders and twenty-five day boys; in 1883, nine boarders and thirty day boys; in 1884, eleven boarders and thirty-two day boys; in 1885, nine boarders and twenty-nine day boys, and thus the boarders have fallen from twenty-one in 1880 to three in 1885. The day boys have substantially remained about the same?—I of course have not carried those figures in my mind.

158. Lord CHANCELLOR.—Applying the same test to Dungannon as Armagh, the net fund available represents about £40 for each boy?

159. Mr. Orr, q.c.—You must deduct from that what is paid to the Royal scholarships.

160. Dr. TRAILL.—It is expended also on the master?—In Dungannon in 1885, there was £330 paid for exhibitions, and these were for boys that were at Dungannon several years ago.

161. Lord Justice FITZGERALD.—How do you reconcile the statement that the falling off from ninety to forty-five in Armagh is attributable to the withdrawal of the scholarships with the fact that though £330 was paid in Dungannon last year for exhibitions, the falling off was from twenty-one to three boarders?—I cannot explain the cause of this falling off; it is most intricate. I suppose it is possibly attributable to pending legislation, the suspension of the scholarships and other causes.

162. Are you paying any money for Royal scholarships in Enniskillen?—Yes, £65 we paid last year.

163. How many boys there?—Twenty-three day boys.

164. Lord CHANCELLOR.—And £1,751 was the fund available last year for those boys?—That would be so, were all the year's rental collected, but I am not quite sure whether it can be taken in that way.

165. Lord Justice FITZGERALD.—We are to endeavour to settle a scheme for the management of this endowment, and we want to see how far it is utilized at present?—I should mention that all these sums of stock represent savings, and there may be savings this year. The actual amount expended on the school in Enniskillen last year was £395.

166. Lord CHANCELLOR.—Expended on a school where there were twenty-three day boys?—Yes.

167. That is £40 a head?—That return was on the 1st February, 1886, and does not represent the boys present in 1885.

* App. B, No. V. (i), p. 403.

† App. B, No. V. (i), p. 411.

168. Lord Justice FERGUSON.—In Enniskillen I find from the report of 1880 that there were then forty-nine boarders, showing a school of eighty-three; in 1881 there were thirty-six boarders and twenty-six day boys, and so on. (Reads extract from the Report.) Then again there is a pretty steady attendance of day boys of between twenty-five and thirty, but the remarkable fact is that the boarders have fallen from forty-nine to none at all!—That is so. 169. Can you account for that?—I cannot account for it.

170. There was plenty of money available in Enniskillen for exhibitions?—Certainly, and it ought to have brought boys; in fact, a boy rather neglected his own interest in not going to Enniskillen. A boy of moderate ability going to Enniskillen would be absolutely certain to have got an exhibition.

171. As a matter of fact had you exhibitions at Enniskillen that were not competed for?—Yes; there were two exhibitions open this year and nobody competed for them.

172. Were they open to boys from Armagh?—They were not open to boys from Armagh.

173. Do you know whether the head master at Enniskillen refused to take boys from Armagh to compete for these exhibitions?—I am satisfied he did not.

174. Lord Justice FERGUSON.—Now as to Carran—what is the return for Carran for 1881?—Three boarders and thirteen day boys. Of course when I say no boy competed at Enniskillen for these exhibitions, the rule must be borne in mind that a boy should be at a Royal school for three years before he could compete.

175. Be that as it may, the fact remains that no boy competed from Enniskillen School for these exhibitions this year, and there were two they could have competed for?—That is so.

176. In Carran I find from this return that in 1880 there were fourteen boarders and eleven day boys; in 1881, six boarders and thirteen day boys; in 1882, seven boarders and fourteen day boys; in 1883, four boarders and eighteen day boys; in 1884, eight boarders and seventeen day boys; and in 1885, three boarders and thirteen day boys—I have no doubt these figures are correct.

177. Lord CHANCELLOR.—I see that over £450 was spent on Carran School during the year?—£325 in salary, £50 in Royal scholarships and other items, making it about £425.

178. On sixteen boys in the school?—That, of course, is the number of boys.

179. Lord Justice FERGUSON.—What is the return for Raphoe for this year?—Four boarders and ten day boys.

180. Raphoe had twenty-six boarders and ten day boys in 1880, and it has fallen to four boarders?—That is so.

181. Lord CHANCELLOR.—£246 was spent on that school during the year. Now as to Banagher?—It has no boarders, but fourteen day boys.

182. Lord Justice FERGUSON.—In 1884 it had four boarders and fourteen day boys; in 1881, one boarder and ten day boys; 1882, one boarder and sixteen day boys; in 1883, no boarders and nineteen day boys; in 1884, no boarders and fifteen day boys; in 1885, no boarders and fourteen day boys. There was no boarder in Banagher for the last three years?—None.

183. Is this the upshot of it, that you have at present in the six Royal schools fifty-five boarders, of whom all except ten are in Armagh?—Quite right.

184. And 126 day boys, of whom forty-one are in Armagh?—Yes.

185. So the total number of boys representing the actual work done by this endowment is 181?—That is so.

186. This year you have 181 boys to get the benefit of this endowment?—That is so returned on the 1st February.

187. Lord CHANCELLOR.—Can you state the religious denominations to which these boys belong?—I can. At Armagh there are seventy-four of the Irish Church, ten Presbyterians, and two of all other denominations, except Roman Catholics. There are no Roman Catholics.

188. Now, as to Dungannon?—At Dungannon there are nineteen of the Irish Church.

189. Any Presbyterians?—Six Presbyterians and three of all other denominations.

190. As to Enniskillen?—All Irish Church—twenty-three.

191. Carran?—Fifteen Irish Church; one of all other denominations.

192. Raphoe?—Four Irish Church and ten Presbyterians.

193. Banagher?—One Irish Church and thirteen Roman Catholics.

194. Lord Justice FERGUSON.—The only Roman Catholics attending are in Banagher, and those are day boys?—Yes.

195. Lord CHANCELLOR.—Of the boys attending these schools 134 are members of the Irish Church, twenty-six Presbyterians, thirteen Roman Catholics, and six of other denominations?—That is correct.

196. Rev. Dr. MONAGHAN.—I see from this paper that the school in Monaghan, which was leased by the Commissioners in 1880, has been increasing in the number of its students between 1880 and the present time?—That is so.

197. I find that in 1880 and 1881 the number of pupils was sixteen, all day boys; in 1885 and 1886 it had eighteen boarders and twenty day pupils, making a total of thirty-eight?—I had a letter this morning stating the number of boarders had slightly increased.

198. We have an increase during these five years from sixteen to thirty-eight?—Yes, there are twenty-two boarders and twenty-four day boys in it at present.

199. This school ceased to be under the management and control of the Commissioners in 1880?—Yes.

200. And its management was taken up by local enterprise?—Yes.

201. And all the other schools in the north of Ireland remaining under the management of the Commissioners have fallen off in number?—Yes.

202. And this school increased in number?—Yes.

203. These returns indicate that local enterprise increased the number of pupils attending, while the management of the board fell?—The figures show that.

204. Lord Justice FERGUSON.—You have not looked into the statistics of other schools, such as Wake's school at Lurgan?—I have not.

205. Rev. Dr. MONAGHAN.—Under these circumstances you propose to establish new schools under the management of this Board of Commissioners and you do not propose to give any assistance to schools conducted by local enterprise?—We propose to establish Roman Catholic schools. We do not propose to establish any further Irish Church schools.

206. In your scheme you propose to establish new schools under the management of this Board of Commissioners, and you do not propose to give assistance to schools conducted by local enterprise, while the schools conducted by local enterprise have been successful, and the schools under the board are a failure?—We make no alteration. The figures, no doubt, positively show that.

207. Mr. O'K.—The Commissioners are with for information as to the constitution of your board?—I would wish to make an explanation with regard to the payment of our agent, and to state that our agent does not pay himself monthly. Our agent is only paid in April.

208. Lord CHANCELLOR.—Does he make partial lodgments?—Partial lodgments.

209. Each lodgment exactly represents the funds in his hands?—It does. No doubt he paid himself in April, 1885, out of the rents he collected up to that

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That payment appears in this account, but has no particular reference to the amount of rent received in 1885.

210. It contains the poundage on the rent for nine months of the previous year and three months of 1885-1—Yes. In fact you should go back for a number of years. You could not understand it from this table. If you were to go back on the last four years for instance in the case of Armagh, and take the receipts in Armagh from January to January, in every one of the four years, they would appear greater than if you took the receipts from April to April, and the explanation of it does not appear until you go back for five years.

211. Dr. TRAILL.—If you take the poundage on the whole rental, supposing it never was in arrears at all, and let it together for four or five years, the average is much less than the average of the actual charges for poundage which you give. How do you explain that?—That includes balliffs fees as well, and it is loaded so as a matter of fact. If you take the full figures you could not understand it. For four consecutive years they would be quite different if taken from January to January, then if taken from April to April. The principle of the thing is no doubt difficult to understand. Take for instance the rents collected in those four years. From January, 1881 to April of that year, £200, and again at end of the year £200, and apparently you have £1,000; but then again from next January to April say only £400 is collected, and then if you took it from April to April it would only appear you received £800. The explanation is not found out until you go back on the year previous.

212. Lord Justice FRINGGROSS.—With respect to the poundage we have the total of the entire period, whatever it may be. The poundage on what is got in nine months of the year must appear in the account of what is got next year!—The question of poundage follows the same principle. You pay the poundage from April to April.

213. You will have in the first of the period included the poundage of the rents collected during nine months of the previous year, and you will not have the poundage on what is included in the last nine months; if you take two years together, the poundage never ought to exceed the amount on what you got—I think the explanation is what I have given. You pay the poundage on what is received from April to April. That is the principle, to pay the poundage on what is received from April to April, and in the instance I have given that would be only on £900. Therefore the poundage, paid in that year, would be only on £900, and until you go back some years you could not explain that the poundage might not bear any proportion to what it received under that head, and going back some years previously the poundage would appear very small.

214. Dr. TRAILL.—The Lord Justice's point is that it might be smaller, but not larger!—Taking it in the way I have stated, the poundage would appear larger if taken upon the actual amount received from January to January. With regard to the Monaghan School, is no doubt shown an increase of pupils, and I can explain it on the principle laid down in the report of 1881. I refer to a passage at page 29, and the words are very strong. The master there is a young man lately appointed. The report to which I refer states, "An immediate increase in the number of pupils has invariably followed the appointment of a young and efficient head master, while numbers fell away where the head master has been engaged long in teaching."

215. Lord Justice FRINGGROSS.—There is an increase in Monaghan School for every year for six consecutive years!—The head master has been appointed six years. Dr. Malloy asked me to account for the increase in the number of pupils in the Monaghan School, in that particular school as compared with the Royal schools. The master was appointed in 1880, and the pupils had no doubt increased in his school. That exactly fulfilled the principle laid down

in the passage I have quoted from the report of the Commissioners of 1881, that invariably an increase in the number of pupils follows the appointment of a young and efficient master.

216. Then your explanation as to the cause of the increase in the number of pupils is because the master is young and efficient!—I don't say that is the sole cause.

217. If the master remains until he is seventy years of age, do you consider it an advantage?—I give Monaghan as an instance, that it is an ascertained fact that an increase in the number of pupils invariably follows the appointment of a young and efficient master. I cannot say what the actual explanation is, but invariably on the appointment of a new master an increase follows in the number of pupils.

218. Rev. Dr. MOONEY.—But at the same time that a new master was appointed, the Monaghan School, in which this increase has taken place, ceased to be under the management and control of the Commissioners of Education. To which fact do you attribute the improvement?—I don't attribute it to anything particular. I also qualify my statement by saying this was simply one instance. If instead of taking these schools, you take Glenties, and Midleton, the numbers show these schools are increasing in the number of pupils very steadily, so that you cannot draw any inference from the case of one school being closed to be under the control and management of the Board of Commissioners.

219. Lord Justice FRINGGROSS.—In Okeah the head masters held their offices at pleasure and have no retiring pension!—They have no retiring pension.

220. Lord CHANCELLOR.—As regards the schools before us, and the new body it is proposed to create, do you know why the number of Commissioners was fixed at eight?—I cannot give any reason for the particular number. The fact is a small number was fixed upon, for it was considered a large number was not so advisable as a small number.

221. It was in contemplation that the different religious denominations were to be represented at the Board?—It was.

222. Was it proposed these Commissioners were to be an unpaid body?—So it was intended.

223. It was intended that denominational schools representing the three religious denominations should be provided?—Yes.

224. Was it intended that members of a particular denomination were to attend to schools of their own denomination, or that the entire body were to take charge of each school?—It was not considered whether or not it would be advisable to hand over the management or care of the school at Armagh, for instance, to such members of the Board as were of the Irish Church.

225. Was it intended that sub-committees were to be appointed?—I think such considerations were not given into.

226. Lord REFORM.—The idea was the whole Board were to manage all the schools.

227. Lord CHANCELLOR (to witness).—It was not proposed by the witnesses that the Commissioners were to hold any particular number of visitations?—A visitation clause was drawn with regard to special circumstances that might arise.

228. Except under special circumstances or some state of circumstances arising which might render it necessary to go down to the schools, the Commissioners themselves were not the persons to look after the different schools?—The Commissioners considered that provided for under section 8, which sets forth the duties of Inspectors.

229. Rev. Dr. MOONEY.—Take section 17. Bishops provided, "The residue of the said Royal School endowments shall be applied by the Commissioners in establishing, endowing, and maintaining four denominational schools suitable for boarders and day boys." "Establishing" there does not necessarily mean providing new schools, but it would be open to the Com-

missioners either to found a new school or take over a school already established.—It would be open to them to do either, but I do not think the Commissioners went into the consideration of how they were to establish them. They meant to leave themselves power, I take it, to do either. They had only a few minutes to prepare the scheme.

230. Lord Justice Fitzgerald.—Whether the school should be built or bought you had it in contemplation that any school sharing in the Royal endowment should be vested in the Commissioners?—I think so.

231. Rev. Dr. Molloy.—With regard to Leinster and Munster; in one alternative they would establish a new school in Munster and another in Leinster?—Yes.

232. Is there any guarantee that pupils would come to the new schools, and that the new schools would be likely to be efficient and successful?—I cannot say what the nature of the guarantee would be.

233. Such new schools would have the existing schools as rivals?—They would. There would be only one existing school, namely, Armagh.

234. But the new schools proposed to be established in Leinster and Munster would have the existing independent schools as rivals?—No doubt.

235. As these proposed schools would be intended for Catholic boys, have you considered whether Catholic parents would have confidence in a school controlled and managed by a board in Dublin of which they would have no knowledge?—The scheme proposes that the head master should be a Roman Catholic.

236. But the management and control of the school would be in a board in Dublin, of which the Catholic parents might know nothing?—With regard to the management of the school under the terms of the scheme it is left with the head master who would be a Roman Catholic. Section 22 says "Subject to any rules to be prescribed by the Commissioners under the authority of this charter, the head master of each school shall have under his control the choice of books, the methods of instruction, the arrangement of classes and school hours, and the general organization and discipline of the school." Under that clause very wide control over the school is committed to the head master, and of course he must be a Roman Catholic.

237. But the course of education would be regulated by a board in Dublin, and under section 21 it shall be lawful for them "to make such regulations to be observed in the said schools as they may deem proper"?—They might not interfere with the head master in what arrangements he might think proper.

238. You would set up two new schools in Leinster and Munster which would have as rivals all the existing schools in the two provinces; these new schools would be managed by a central board in Dublin, and we have no evidence that Catholic parents would have such confidence in these schools as would lead them to send their boys to them?—But is there any evidence they would not?

239. In founding two new schools it was probably contemplated as an alternative that instead of actually establishing two new schools, you might take over already existing and flourishing schools, and assist them?—The board did not bind themselves to either course.

240. If you took over an existing school the head master should resign his post and accept an appointment from the central board in Dublin. That would be necessary under your scheme?—I think such a course would be necessary.

241. He should also consent to be subject to dismissal by the central board in Dublin?—After a judicial investigation. It is not a mere power of dismissal.

242. The third point would be that the appointment of the assistant masters should be submitted to the central board, and approved by the board?—That is so.

243. The next is that the head master must be ready to fulfil all such duties as may be assigned to

him by the Commissioners?—You are now pointing out particulars that apply not to Roman Catholic schools alone.

244. The question is whether you will get an existing efficient school to accept these terms, which must be accepted by the managers before they can share in the endowment?—My answer cannot be taken as confined to any one denomination, and the scheme is not confined to any one denomination.

245. Therefore, the difficulty is the greater?—My answer must be taken as applying to all schools.

246. The managers of the existing school must hand over to the Commissioners the right to fix and vary the fees charged to pupils?—Yes.

247. The next proposal is to give to the Commissioners the power to determine the number of pupils to be received without paying any fees?—Yes.

248. And even in some cases to nominate the pupils to be received free?—Yes; but the section adds that such selection shall be made by examination, if it shall seem to the Commissioners that selection by examination would meet the justice of the case, in which event the Commissioners are bound to do it.

249. Under certain conditions the Commissioners may nominate the pupils to be received free—that is part of the scheme?—Conditions might arise in which it would be done by the Commissioners.

250. Section 21 gives power to Commissioners to determine, from time to time, the course of education to be followed in the school?—That is so.

251. And to make such regulations to be observed in the school as the Commissioners may think proper?—Yes.

252. Do you think it probable that the managers of any two successful existing schools in Munster and Leinster would accept the sum of, say, £1,000, and agree to those conditions?—I am not in a position to give any opinion on that.

253. It would be desirable that question should be considered. What occurs to me is that under this scheme a dilemma would arise—either that your board would undertake to found two new schools or would take over two existing schools. If they undertake to found two new schools, there is not much probability apparently that they will get pupils, and if they propose to take over two existing schools, it seems to me highly improbable they will get any managers of existing successful schools to accept their terms?—Our Commissioners were not of that opinion when they put in the clause.

254. It would be desirable, if possible, in reference to the scheme, to give us some evidence as to the likelihood, if you found two new schools, that you will make them successful, or else to show us that you will get two existing schools to accept your terms?—As far as I see, a school would be glad to take an endowment of £200 a year.

255. But the conditions under which it is proposed to be given might be such that the managers of an existing efficient school would not accept them?—That was not the opinion of the board.

256. Lord Justice Fitzgerald.—Dr. Malley asked you whether it was likely certain things would happen; did the Commissioners, in preparing their scheme, refer to what occurred at Banagher?—I cannot say.

257. Would the proposed schools in Munster or Leinster differ from the present actual existing school in Banagher, as regarded either the constitution, the power of the head master, or the control of the commissioners?—Of course, our scheme gives much greater control than the board ever had before over all our schools.

258. In what respect?—As set out in these various clauses in which we define our powers.

259. In Banagher a Roman Catholic head master was appointed?—Yes.

260. And in two years after he was appointed, the number of pupils rose to forty-one, but after he incurred the displeasure of the Catholic Bishop, in consequence of

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having prepared pupils for the Queen's College, and having attended at the Queen's College, Galway, himself, the number of pupils declined, and there are at present no boarders at all at Banagher, and there are only fourteen day boys. Is there any reason to suppose that the same failure would not attend the proposed schools in Munster and Leinster?—The head master there placed himself in opposition to the Roman Catholic Bishop.

261. The master is referred to in the report of 1880. Under your scheme the regulation of the course of education would not depend on the head master, but on the Commissioners?—The chief point of difficulty in respect of Banagher was that the head master prepared some of his pupils for the Queen's University.

262. Unless they were to incur the fate of Banagher,

the Commissioners should prohibit preparing pupils for any University not approved by the Catholic bishops?—The head master would be most interested in that.

263. Is there any successful Roman Catholic school existing in Ireland under the constitution which you propose, where the head master is appointed by a school body and the course of education prescribed by a school body?—I am not in a position to state that.

264. Was that point considered in preparing the scheme, whether there was any school similar to that it was proposed to establish that had succeeded?—I cannot say that was under consideration, or that the history of any Roman Catholic school was the subject of inquiry.

Earl Selborne, K.C.M.G., continued.

Earl Selborne.
K.C.M.G.

265. Lord CHANCELLOR.—Lord Selborne, you were one of the Commissioners concerned in the preparation of this scheme?—Yes; I was.

266. And, as I see, the idea of the scheme is to constitute a body of Commissioners who are to have the double duty of looking after the property of the endowment, and also to superintend the management of the schools?—It was to reform the constitution of the present body of Commissioners, and alter their constitution by making them distinctly denominational.

267. It has been stated already the number originally proposed was ten?—I should mention the day I was there I was in consultation with Dr. Ball, who first introduced the heads of the scheme, and the first number was ten or twelve. We had the assistance and presence of ex-officio members of the Board. As people die off it was intended that a Board should be formed sufficiently large so as to insure an attendance.

268. It was not proposed that there should be paid members of the Board?—The question of paid members need to arise on the consideration of our annual reports, but we did not see where the money was to come from unless Parliament should grant it.

269. You reside in Fermanagh?—Yes.

270. Have you been often able to attend the meetings of the Board?—I attended as often as I could, and I was appointed by Lord Cooper, when Lord Lieutenant, on the understanding that I would attend as frequently as I could.

271. Is it a fact that if you have a body of unpaid Commissioners residing out of Dublin, you cannot count on their attendance at the meetings of the board?—As far as I am individually concerned, I have attended as often as some who reside in Dublin. I am aware that in the case of one or two members residing out of Dublin, the expenses of their coming up to Dublin used to be paid. One gentleman lived in Belfast. He was paid his expenses in coming up.

272. If you have got a body of unpaid members, and some residing out of Dublin, you cannot depend on their attendance?—If you could find funds to pay the board so much the better. If you had a paid board, I would say a board of three.

273. Did the Commissioners in preparing the scheme take into consideration what the constitution of the proposed board should be as regards members representing or representing the different religious creeds?—The scheme proposes that in the selection of persons to be appointed, regard should be had to the religious denominations of the classes from which the pupils might reasonably be expected to attend the schools placed under the government of the Commissioners. As regards ex-officio members the two Archbishops died and the Chief Secretary was never present, so that it would be really limited to the Lord Chancellor, the Chief Justice, and the Provost. We propose in our scheme that the Lord Lieutenant should appoint the Commissioners, and that regard should be had to the representation on the board of the different religious denominations.

274. That is your idea?—That was our idea, and we would leave that to the discretion of the Lord Lieutenant in making such appointments.

275. Do your board take any part in the management of your property, except receiving the reports of their agents?—Well, they do. The agents get instructions as to making abatement or giving sentence to tenants.

276. Do they ever visit the estate?—Some time ago I visited the Drungal estate, and spent a day. I made inquiries in respect of giving assistance to some of the tenants, and they afterwards paid arrears freely.

277. Practically the looking after the estate devolves on the agent?—It devolves on the agent.

278. And the Commissioners must necessarily depend on the information supplied to them by their agents?—They must in a great measure.

279. And under the scheme the Commissioners are not put under any obligation to go down and visit the estate?—I think not. My own wish would be that the estates should be sold and the money funded.

280. In your opinion that would get over any difficulty as to the management?—Yes. With regard to the estates, we propose the rents or interest on the money funded should be thrown into hotch-pot for the future.

281. Do you know the Fermanagh estate?—I know where it is situated. It is a long narrow estate. It begins on the shores of Lough Erne, and goes back to Swinliffe.

282. Is it a poor estate?—Some of it is poor, and money has not been spent on it.

283. Is it the fact that sub-division is allowed to go on, and there is a much larger number of tenants than could reasonably be expected to be supported out of it?—All that happened before I became a member of the board, and before the present agent was connected with the board.

284. Do you know whether any judicial rents were fixed on the Fermanagh estate?—One or two of the tenants were in the Land Court.

285. Are the rents substantially what they were in 1880?—I think so.

286. Has any permanent reduction been made by the Board?—The rents are substantially what they were at the time of the famine. I don't think there was any permanent reduction.

287. Can you say whether the land is let higher or lower than on surrounding estates?—I should be inclined to think it was let lower than on some of the neighbouring estates. The tendency of new owners was to raise the rents, and the school estates were not in that position, and the rents were not raised for many years.

288. Under the scheme the Board would have power to hold visitations?—What was intended by that was that if complaints were made we should instruct a deputy to hold an investigation.

289. Either for the Commissioners to go down or to send a deputy?—Yes, as we have done hitherto.

290. Hitherto there is only one instance of a visitation—Only one since I have been on the Board.

291. As regards the supervision of the schools, you propose that Inspectors should be appointed by the Lord Lieutenant, who would furnish reports containing sufficient information as to the manner in which the schools were being conducted?—Yes.

292. Can you give any reason why Armagh and Dungannon were selected as the two places where Protestant and Presbyterian schools were to remain?—Yes, we selected Armagh because it is the place where the head of the Church of Ireland resides, and is under the shadow of the Cathedral. It is a prosperous school and has got sufficient accommodation. As regards Dungannon, it was selected because it is the nearest point to the bulk of the Presbyterian population.

293. And on the same principle you select Minister and Lister as the places where Roman Catholics are most numerous?—On the same principle. The alternative was not as Dr. Molloy put it, of taking over an existing school or founding another; but whether two of the existing schools in the North should be converted into denominational schools, or whether it would be better to have them in parts of Ireland where the class principally resided of the denomination likely to attend the school, and on the whole they thought it better to establish the schools in Minister and Lister.

294. Did the Board come to any opinion as to what division of the funds should be made; how much you would apply to Armagh, and so on?—Without laying down any hard-and-fast rule, our view was that each school should have £1,000 a year; that the Roman Catholic should have half the endowment, and the other two denominations divide the other half, reserving power to vary that, if we found one school was only half availed of, and another was full.

295. Did you consider, Lord Belmont, in connection with that what the fund would be. We have evidence to show the income would be about £4,500 a year?—Yes.

296. It is very likely the property will come to be sold?—Suppose it sold at twenty years purchase it might give £4,500 a year.

297. At twenty years purchase that would be about £90,000?—I may have miscalculated it, but I made the calculation that after allotting £400 a year to any towns deprived of their schools, there would still be either £5,600 or £4,000 a year to the good, as we should then save estate expenses.

298. Rev. Dr. Molloy.—Did you make any allowance for the cost of administration in Dublin?—The Treasury pays that. That is proposed by the scheme.

299. Lord CHANCELLOR.—You reckon on the expenses of the secretary, the inspectors, and office expenses in Dublin being defrayed by the Treasury?—All the office expenses at present are paid by the Treasury.

300. Mr. Orr, q.c.—The clerk gets £270, £100 is paid by Parliament, and £170 by the Commissioners. We propose the expenses of visitation should be paid by Government.

301. Rev. Dr. Molloy.—But if Parliament decided to do that, it should come out of the Endowment Fund.

302. Lord Justice FRANKLIN.—The amount paid to the clerk is referred to in the report of 1880, and it would appear the Commissioners never called on the Treasury to pay it.

303. Lord CHANCELLOR.—If the income of the endowment after being capitalised should fall below £4,000, the fund applicable to each school would have to be shared in proportion?—It would have to be shared. I made my calculation on the assumption of a saving in the expenses.

304. Rev. Dr. Molloy.—In the scheme at page 2, sec. 7, a power is introduced to employ and pay deputies to act as visitors in place of the Commissioners. That contemplates that the visitors should be paid?—

We make an estimate every year like any other department of what we think is likely to be required, and the scheme proposes the accounts should be audited, like the accounts of any other public body. It is not always the case that what is estimated for is really spent. We used to estimate travelling expenses for the Board, but practically of late years that sum was not wanted, and the Treasury remarked as it that it was better not to put it in.

305. Lord Justice FRANKLIN.—Going through the accounts we were struck with the amount of expenses, £5,144 of receipts during the year, and disbursements to the extent of £1,828, under various heads of outlay?—Yes.

306. Can you give us any explanation of why the outlay is so large, or any suggestion as to how it might be made less?—Every estate stands on its own basis. I have two estates, and the outlay on one is larger than the other.

307. There are no head rents on these?—There is a small head rent on the Raphoe estate. The rental of that was £390. The estate is very small, and there is a certain amount of difficulty experienced by the agent there, so that we could not get a man to undertake the agency for less than ten per cent. In Raphoe the expenses were sixty-six per cent.

308. Dr. TRAILL.—An agent's house was blown up there?—I believe it was intended to do so.

309. Lord Justice FRANKLIN.—The outlay in respect of all these estates is far more than we met in other schemes. In the Raphoe estate two-thirds go in outlay?—I cannot answer for that unless I saw the agent's account.

310. In Dungannon, receipts, £1,400, expenditure, £843; the average expenditure is considerably larger than one-third?—I cannot explain it without the accounts.

311. Assuming we shall have an opportunity of giving you a newly constituted body, with the most advantageous powers of managing these estates, can you suggest any means by which the outlay can be diminished?—Well, you cannot diminish the income-tax, county cess, or tithe-rentcharge. You must allow a sum for agency. That is compulsory in a public body. The only other items are abatements, or reductions of rent in bad years.

312. Take Dungannon as an instance. In Dungannon the rental is £1,742, and the actual receipts are £1,400?—There is £13 6s. 8d. there for improvements; I suppose that is an allowance to a tenant.

313. £85 there was for a survey, and in the previous year, when there was no survey, the outlay was as large?—Possibly services and costs connected with judicial rents.

314. There is £85 for law costs in that same account. Have you any direct control over the agent, or do any of the board ever see the estates?—Not that I am aware of.

315. Would it be advisable to have as members of the board, gentlemen resident in the localities where the estates are situated?—No doubt it would be convenient as regards inspection, but as to expenses, if tenants go into the Land Commission Court to have fair rents fixed, you cannot prevent law costs.

316. What would be the fair ratio between the receipts of an estate and the outlay?—It varies very much. On one of my own estates the outlay was about twenty or rather more per cent. On another, I only got into my own pocket about one-third.

317. The smallest is Carran where the outlay is seventeen out of fifty-three?—I should say, thirty-two per cent. would not be out of the way. There are considerable allowances to tenants in one year.

318. What arrangement have the Commissioners with their agents as to vouching?—The secretary vouches the accounts. I do not think there is an auditor.

319. Is there no check as in Chancery, where the account must be passed before an examiner?—I don't think there is. There is no public auditor.

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Earl Selborne,
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330. Is there any examination of the accounts by the board?—Not by the board as a body.

331. Can you suggest any arrangement by which a more efficient control could be exercised over these outgoings?—No. There is the Raphoe estate for instance; the agent's fees there are ten per cent; no doubt if you could get an agent to act for less, a saving might be effected. The poor rate is allowed the tenants. Then there is tithe-rentcharge, head rent, teachers' salaries, and various other items. I do not see how there could have been any reduction under the circumstances; fifty per cent. was allowed for improvements, as an inducement to the tenants to pay in the arrears on the property. If this were my own estate, I cannot see how the expenditure could have been reduced.

332. Do you think it is necessary to expend considerably more than thirty-three per cent. on the net receipts?—If there are 150 tenants, I do not consider such an expenditure would be out of the way.

333. Have you seen the Enniskillen estate?—No. On the Raphoe estate, a tenantry school had been maintained.

334. Have you seen that estate?—Yes. The houses of the tenants are very bad. One of the allowances we made, was for making a road to the top of the mountain. There are 6,000 acres of barren moor.

335. Would it be possible to carry into effect the idea of having as members of the board, gentlemen resident in the vicinity of the estates?—I think the difficulty would be to get them to attend, unless you paid them, and if you paid them, they could come up to Dublin. I do not see how it would act.

336. Have you thought at all of having only one agent?—We have one agent for Cavan, Donaghy, and Fermanagh; we have another agent in Dungannon, and one in Armagh. Banagher has the same agent as the private endowments.

337. Rev. Dr. Mollart.—Do you consider it would be desirable to have the estates sold, and the money funded?—I should think so, to get rid of the poorer estates. On the larger estates the arrears are larger and the improvements would be relatively less.

338. Lord Justice FRANKLIN.—In your opinion it would be much better to get rid of the poorer estates?—I do think it would be very much better. I made my calculation as to what they might possibly sell for at twenty years' purchase.

339. Your proposal is, that the Church of Ireland people should get the Armagh school, that the Presbyterians should get the school in Dungannon, and the Roman Catholics a school in Limerick, and one in Munster?—Yes.

340. That would shut out the other sects?—I have not considered it in that aspect.

341. Have you considered whether the arrangement you propose would be as practicable or acceptable to the various denominations as to have the Royal fund applied to subsidise schools under their own management?—I go on the theory, that if you have State endowment you should apply State management.

342. Do you think that is desirable?—I think so.

343. Is there any instance in Ireland of a successful school under State management?—I think there is. Armagh is an example.

344. Has it not lately fallen off considerably?—I consider it is a successful school. Enniskillen has no boarders at all now, and at one time Armagh had only two or three boarders, while Enniskillen was over-crowded. On the whole Armagh has been a successful school.

345. Rev. Dr. Mollart.—Do you consider the State should manage the endowments?—We have left the education very much to the masters. These schools were managed as classical schools, and the education was conducted with the view of the pupils getting into Trinity College or the other universities, and therefore we have not interfered very much with

the internal management of the schools. I do not mean to say that we should prescribe what books should be read, but we should have sufficient control to insure that if we paid the endowments the education should be intermediate.

350. Might not that be sufficiently provided for by giving the endowment only to those schools in which you could satisfy yourselves that the education given was *sevenside* intermediate education?—My idea was that two Royal schools, new ones, should be made available for the Roman Catholic portion of the population. It did not enter into our consideration that we should adopt existing or private schools.

357. The State has made various efforts to provide higher education for Catholics, and all the efforts failed when the State undertook the management of the education, but they have been successful where the management of the endowment was left in the hands of a board, as in the case of the Intermediate Education Board, and the management of the education was left to the educational institutions themselves.—As regards Roman Catholic schools, I am satisfied the endowment should be given, provided the schools were of a character to give a first class intermediate education. It is not desirable that a mixed board should interfere very much in the discipline of the school so long as the board is satisfied a first class intermediate education is given.

358. Would not your object be sufficiently gained if competent inspectors were appointed to report to the board as to the kind of education given in the schools?—Yes, that would most my view.

359. Lord Justice FRANKLIN.—Would you extend the same principle to all denominations?—I would extend the same principle to all. I would have the board interfere as little as possible with details, but they should be satisfied there was no abuse. Suppose through this system of inspection you were able to satisfy yourself that the school was properly equipped as regards building accommodation and requisites, that it had efficient masters, and gave an intermediate education of a sufficiently high class, would you see any difficulty in a mixed board distributing the endowment in proportion to the amount of work done by that school as compared with other of the same class?—I should not if we were satisfied a proper intermediate education was given; then I think it would be entitled to the endowment. But if we found that one school was doing nothing, having no boys at all, as at Enniskillen, then we should be in a position to give the endowment, or divide it amongst other schools.

360. Would not that difficulty arise under the scheme you are proposing?—I think we provided for that.

361. Suppose Armagh to fall into the condition that the Enniskillen school is in now, do you see any reason why the public endowment should be restricted to one school that had become inefficient?—I did not look at it in that light. If not efficient you should take the endowment and give it to some efficient school.

362. When your State fund is only between £4,000 and £5,000 a year, do you regard it as sufficient to keep up the schools?—I think so. Efficient schools are kept up with much smaller funds. All we give some is a house and £100 a year.* The endowment is only an auxiliary.

363. I believe Monaghan school was let by your board to a local committee?—The Monaghan school-house is supposed to be vested in our board, but there is a doubt about it, and a local committee now work it.

364. Do you think a local committee could be formed to take up the Enniskillen or Armagh schools?—As regards Enniskillen school, I understand an application will be made to you that, in case it is discontinued, it should be handed over to a local committee.

* This refers to Erasmus Smith's Schools.—BIRMINGHAM.

345. If you can get local committees to start the schools, have you any reason to apprehend they would not have a better chance of success than if confined under the direct management of a board in Dublin?—I do not think it would make any difference. The Monaghan school flourished because it had an efficient master. The master of the Enniskillen school is growing old. I do not think the management of the board had anything to do as regards the question of the efficiency of the school. The board rather contributes to the efficiency of a school in making allowances for the masters' salaries and affording scholarships and prizes.

346. Do you not think a local board is more likely to manage a school efficiently than a central board?—I do not think it makes much difference, if the master is left in the hands of the head master.

347. Rev. Dr. Motter.—Is it not a good principle that the State funds for the purpose of endowment should be applied to such schools as are efficient?—No doubt, if voted by Parliament, but an endowment of this sort was intended for particular schools, and you are merely varying an old endowment.

348. Yet you propose to abolish four out of the six old schools, and found two new ones?—Yes.

349. Would it not be a safer principle to apply the endowment to assisting efficient existing schools, rather than run the risk of establishing State schools that may not be successful?—That is not my view.

350. Dr. Traill.—These endowments are not of the same nature as State grants, like the Intermediate endowment?—No.

351. They were given for a special purpose?—They were grants given in connection with the plantation of Ulster.

352. When the position of a school was changed, was it not always kept within the same county?—I believe so. The only school that was changed was the Enniskillen school. It was originally in this town, and the position not being found suitable, about the middle of the last century an agreement was made with Lord Enniskillen's ancestor for an exchange at the rate of one acre of good land outside the town for four acres of land at a distance as a site for the school.

353. Was not the Armagh school changed, and also Rathfriland?—I have no knowledge as to that.

354. Does not the original intention as to the application of the endowment fund apply to localities in Ulster?—It does, no doubt.

355. Would it not rather fritter away so small an endowment to establish out of it two new schools in Munster and Leinster?—The idea was to make the State endowment available for the whole population.

356. Was not a claim put forward by the Roman Catholic masters in the North, that the endowment should be confined to Ulster—for instance, from the head master of St. Malachy's College in Belfast?—Possibly so.

357. Do you not think it would be a better application of the endowment fund for these schools to confine it to Ulster, dividing it equally between all denominations there?—Yes; if you retain some of the school-houses, and make Roman Catholic schools of them. I do not see the policy of applying any portion of the fund to St. Malachy's, in Belfast.

358. Your idea is, it should be divided equally amongst the denominations?—My idea was, that there should be one Roman Catholic school established in Leinster or Munster, but one member of our board suggested there ought to be two, and the suggestion was agreed to.

359. Lord Justice Fitzgerald.—When these schools were successful as boarding schools, did not the boarders come from all parts of Ireland?—I suppose they did. The boarders came from a distance. Gentlemen living near Enniskillen sent their sons to more distant schools.

360. There was no transferring of boys from particular counties?—No.

361. Dr. Traill.—The day boys were more nu-

merous than the boarders?—Not always. The number of day boys is pretty stationary.

362. The returns show the day boys are more numerous than the boarders?—They are now. I may mention there was a certain right to free education in the Enniskillen school, and although parents refused generally, they occasionally accepted free education for their boys, but they did not wish it to be known.

363. Professor Douglass.—That would be confined to residents in the locality?—Yes.

364. Dr. Traill.—This scheme contemplates a master's efficiency up to seventy years of age?—I don't see how you can get rid of them.

365. Lord Justice Fitzgerald.—Does the idea of pensioning masters prevail anywhere else except in Ireland?—In England it is not usual for them to get any pensions at all; but the masters of the great schools in England are promoted. The Provost of Eton had been a head master. The head master's income at Eton is very large.

366. Dr. Traill.—Is it intended by clause thirteen of your scheme that a majority of the Commissioners could remove the head master?—It was considered they should have such power, when after investigation it was shown the master had, by misconduct or inefficiency, subjected himself to deprivation of his office.

367. At least two-thirds of the Board should be present before they could remove the head master?—We did not go into that point; it should be done by a quorum.

368. A quorum consists of three members?—Yes.

369. In the event of the present head master of Armagh becoming entitled to a pension, he could not get it under the scheme proposed until he is seventy?—No.

370. If he retires before attaining seventy, he could be pensioned at the discretion of the Board?—Yes; suggesting our scheme were carried out.

371. Professor Douglass.—He is at present in receipt of a salary of £400, and the future head master is not to have more than £380?—Yes.

372. Dr. Traill.—Under your scheme, if the head master dismisses a boy, the Commissioners shall have power, if they are of opinion a proper case has been shown, to reinstate the pupil contrary to the decision of the head master?—I was not the person who suggested that clause. My idea, however, was there should be power to replace a boy who had been dismissed by the head master.

373. That might involve the resignation of the head master?—No doubt, it might; but it was not the intention in framing the clause that it should work as an engine for putting out the head master.

374. That is a case, however, which might be made of such a clause?—I don't think it would be used as a means for accomplishing such an object.

375. Could it operate in any other way?—I could not answer that.

376. Lord Justice Fitzgerald.—Are there many strictly Presbyterian intermediate schools in the north of Ireland?—No, there are none in Fermanagh. I am not sure about Tyrone; there are very few Presbyterians in Fermanagh.

377. Do you know whether there was any demand on the part of the Presbyterians to have a separate school for their own denomination, or whether they would prefer to have a share in the Royal endowment distributed through the schools at which they attend?—I do not.

378. Professor Douglass.—But I suppose you would allow the Presbyterians to revise their position on the education question if they thought proper?—Certainly; I started in life on denominational principles, and I only gave way to necessity.

379. And the Presbyterians might be in a similar position?—Yes; Dr. Ball's idea was it would be impossible to have anything work well but denominational schools.

380. Lord Justice Fitzgerald.—Do you not think a

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S.C.M.

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 Earl Selborne,
 R. C. C. O.

public endowment would be made more practically useful by applying it to schools carried on under the present system in open competition; like the school in Monaghan, started under local committees and letting them win their share of the public endowment?—That might answer, but at the same time schools of that sort might not have the same prestige as Royal schools.

381. Have any of your schools now, any prestige except what is left to Armagh?—Well, I don't know. My wish and hope was that these schools might be restored.

382. Dr. TRAILL.—Is there not a difficulty about private schools being able to pay their assistant masters?—I cannot answer that exactly. I don't know what number of assistant masters the Erasmus Smith's schools have.

383. Rev. Dr. MONAGHAN.—You spoke about the prestige of the Royal schools. If you take away the endowment and the title "Royal," what prestige remains?—No doubt the endowment has something to do with it.

384. Some of the private schools under the Intermediate Board have acquired a prestige rather superior to that of the Royal schools?—That is a matter of opinion.

385. What prestige can be greater than numbers and success?—I think there is a certain amount of prestige attaching to great public schools, something that you cannot describe, and the public idea would seem to be founded on that notion, more especially as regards the great English schools.

386. But practically in the case before us, we have evidence of the failure of the attempt to make these Royal schools successful?—In former days the class of pupils who went to these Royal schools were very much the class that now go to the English public schools, and there is still remaining in connexion with these Royal schools a prestige which does not attach to private schools.

387. But the Royal schools as they have existed in Ireland have hardly acquired a prestige such as that of the English schools?—I think that up to a quarter of a century ago they had something of the same sort of prestige at any rate.

Lord Justice FRANKLIN.—Even in England are not some of the large schools exceedingly modern?—Yes—but I should say these schools have a prestige.

388. The prestige you want to preserve is that of Winchester or Eton as compared with Clifton or

Cheltenham?—Yes, but our endowments are so small that there would be little for each school.

389. Professor DOUGHERTY.—Do you not attach some importance to the maintenance of the endowments?—Yes.

390. Dr. TRAILL.—Has not Armagh School seriously suffered in consequence of the exhibitions not being maintained?—No doubt the exhibitions are not maintained. If £1,000 a year was given to Armagh, it would be the duty of the Commissioners to divide that in salaries, exhibitions, and prizes, repairs and payment of taxes, &c.

391. Has not Armagh fallen off since the exhibitions failed?—I don't know.

392. Can you state why the exhibitions were stopped?—There was not money enough.

393. Lord Justice FRANKLIN.—Did you put the construction on your Act that as the exhibitions were only payable out of the residue of the income of each school, you could not supplement them by taking funds applicable to another school?—Yes. The only funds available from other schools were those provided for essential repairs.

394. Dr. TRAILL.—Was it not pointed out that the money was there, and it was simply by the method of keeping the accounts that you were shown in a worse position than you really were?—We were advised by the legal members of the Board, but there was some such matter as that discussed.

Mr. McDONNELL.—On the accounts which was pointed out was that Armagh was not so much in debt. The position of Armagh was better than other schools. The exhibitions were certainly stopped, and some injury may have been done to Armagh by the stoppage of the exhibitions.

Lord Selborne.—We had not enough of money for the purposes.

395. Lord Justice FRANKLIN.—If the plan is adopted for utilising these endowments of applying them in proportion to results to the support of efficient existing schools, would there be any difficulty in carrying that out through a Board constituted as you propose?—No, or it might be carried out through the Intermediate Education Board. If the estate should be sold why should you keep up a separate Board?

396. There would still be a good deal of management of property?—No doubt.

The Recorder
 of Dublin.

The Recorder addressed the Commissioners on behalf of the Standing Committee of the Church of Ireland.—

The original purview of the Act under which these Royal schools were founded, was to found on a large scale a system of intermediate education in Ireland. It was intended that the machinery for the working of the Act should be provided out of funds voted by Parliament for the purpose. We should go back on that principle and the system should be supported as originally intended out of the public funds. In the early part of this century a very great impetus was done to higher education by the Commissioners, in not taking advantage of the clause by which they were entitled to grants from Parliament. One sum of £400 was allotted for the secretary's salary, and to that extent alone did the Commissioners take advantage of the Act. If the Commissioners had understood the scope of this important Act, they might have developed the education of the country by coming before Parliament and showing good work done, and Parliament would have given a liberal interpretation to this section under which the paltry sum of £400 a year was received. All denominations now have a fair claim that either a parliamentary fund or the surplus of the Irish Church fund should be allocated with the largest part of it to the educational expense, so as to allow the largest amount to be available for purely educational purposes. With respect to the proposed constitution of the Commissioners, those I represent, would not have any particular dislike to such a mixed

Board, but it is idle not to perceive that of late people's ideas have become very much decentralised, and the idea is put forward that the principle of denominational education must be observed. Therefore, it is better to acknowledge what is an existing fact, even though it may be contrary to what we might wish. We have come to the conclusion to recommend that while the purely secular part of the administration of the Royal schools under a new scheme should be left in the hands of a mixed or colourless Board, it will be necessary to form departmental sub-boards, one representing our denomination, the Irish Church, one representing the Roman Catholics, and a third representing the Presbyterian or other Nonconformist denominations, with perhaps one representative of each on the secular Board. If the secular administration was in a board partly appointed by the Government, then let the denominations have the nomination of their own members. On a board consisting of seven Roman Catholics, appointed under whatever qualifications or conditions might be deemed necessary, a board consisting of seven members of the Irish Church, and a third board consisting of seven Presbyterians and Nonconformists, I would then suggest that each of them should have one representative on the administrative board, in order to insure a proper amount of regularity of action. If four Commissioners were appointed by the Government on the secular administration board, and one each from the three sub-boards

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you would have an administration of seven, which could hand over in each year to the three denominations the portion which on adjustment should be found to be their aliquot share.

Lord Justice Fitzgerald.—How should the aliquot part be ascertained?

The Recorder.—From the figures. I thought a fair share would be one-third to each, and I will give my reasons for it. The figures proposed by the scheme—fifty per cent. to Roman Catholics, and twenty-five per cent. each to the other denominations would not be at all reasonable in view of the rights of those whom I represent. The Act recognises vested rights, and it must be remembered that the boys who have shared in the benefit have been members of the Irish Church, and regard should be had to the vested rights of those who have shared these benefits in the past. But even on the question of mere numbers, the numbers do not bear out the view of the Commissioners. The figures given are 3,000 of the Irish Church as against 5,000 Roman Catholics sharing in the benefits of the Intermediate system. These figures do not truly represent the number of boys of the Irish Church in Intermediate schools. Including those now in English schools there would be at least 5,000 of the Irish Church.

Lord Justice Fitzgerald.—Would it not be a fair system of distribution that would take as the basis the number of pupils belonging to each denomination actually receiving Intermediate education in Ireland?

The Recorder.—I was going to give some reasons why I think the division into three equal shares would fairly meet the exigencies of the case. The figures do not justify the proposal of giving two-fourths to Roman Catholics. They have only gone so far at present as 3,000 of the Irish Church, and 5,000 Roman Catholics.

Rev. Dr. Mollay.—The figures are taken from the class called "superior schools." There is another class of "colleges," and it is quite possible these include some of the largest Intermediate schools.

The Recorder.—I am only dealing with the figures given as one of the considerations, and I contend that 4,000 is by no means a fair representation of the true strength of the denomination I represent, which I would ask should be represented by at least one-third of the endowment. The system of sending the cause of our intermediate boys to schools in England is one which, as inhabitants of this country, we should be sufficiently patriotic to do all we can to prevent. That can be only done by making the Intermediate Schools here thoroughly efficient. The representatives of Roman Catholic opinion in this country have also been complaining of the system, but it is certain that a much larger proportion can with justice be added to the Irish Church, if we take account of the numbers of that denomination who go across the water for their education. One of the reasons of this large exodus is because we have not here schools of sufficient importance and character to attract them. One of the objects of this Commission should be that such schools should be established as will enable us to say, "why do you send your sons to the other side of the water for their education when there are as good schools here?" The Royal schools have been suffering from the depletion caused by the exodus of Irish boys sent to England for their education, at the same time a large number of boys of the middle classes are withheld from them, notwithstanding that the education which they might receive in those schools is to them of considerable importance. They have been falling in the statistical scale until there is almost no apology for the existence of two of them. In any distribution of the endowment, the Irish Church would be entitled to at least one-third for educational purposes; first because we have a vested interest in a large portion of those endowments; secondly, because a considerable number of boys belonging to the Irish Church are at present obliged to go to educational institutions in England, because they have not schools of the same class here. The Intermediate Examinations are not the only test with respect to those schools, the object

of which has been to turn out good classical or mathematical scholars. The intermediate system as administered, although it has improved the general average knowledge of the youth of the country, has by no means the effect of making accomplished scholars; for instance, the intermediate system is a positive disadvantage to Armagh school.

Lord Chancellor.—How the Armagh school withdrawn from the intermediate system?

The Recorder.—Yes; and it would be unjust that the system which they found a disadvantage, should be made a test of success. The Royal schools prepare for the Trinity College examinations, and adopt the system which they think best for students seeking a higher university education. If the new Board of Commissioners should be kept separate, as a central administration department from the educational department, with denominational boards representing the different religions, and having control over the funds—if the intermediate system is to be the test, it would be better to hand over the whole fund at once to the Intermediate Board. I would not like to see any new scheme reducing this endowment merely into a small portion of the Intermediate system. I would give the different denominational boards an option as to whether they would divide their share, or if they thought it advisable to accumulate the whole as a single school. It might have the effect of giving to the prestige which once belonged to the Royal schools. The Roman Catholics might desire to divide it on the intermediate principle, or to strengthen some particular establishment, and it would be very much to be regretted if they were prevented from having that power. The Board should not be bound to maintain any particular establishment after it had ceased to be useful. I would therefore suggest that say £1,000 a year should be handed over to each of these denominational boards, that there should be an inspection of any school receiving any part of the endowment, and that the Board should have power to devote it to any particular school they thought fit under proper supervision; that in case of inefficiency given or unsatisfactory results, it should come to be such an institution, and that the denominational board should have the power of giving it to another school. One condition of granting it to a particular school might be that there should be a local committee of any such school.

Lord Justice Fitzgerald.—Do you see any advantage in that over the proposal by which there should be local committees managing all the schools and getting each a share of the endowment in proportion to the work done?—Not if you had some way of limiting the number of schools to share.

The number would be limited if it were made a condition the school should be of a certain size.—If you did that antecedently the school might fall in one year below its numbers, and that might lead to heart-burning and unpleasantness.

Professor Douglass.—You propose that one sub-board should represent all the denominations called Nonconformists; who are these Nonconformists?—I thought there were three denominations, but since I came here, I have learned the Wesleyans are represented, but they are not nearly as large as any of the other three denominations.

Are you aware that some of these bodies have more affinity to the Church of Ireland than to the Presbyterians?

The Recorder.—I believe so.

Why not have a joint board for the Church of Ireland and the Methodists, instead of for the Presbyterians and the Methodists?—That would be a matter for consideration.

Lord Balfour.—In preparing this scheme I should mention, the Commissioners went on the principle we should not have less than one school for each denomination. The Roman Catholics being in excess of the others, we thought they should have two schools, one in Limerick and one in Munster.

The sitting was then adjourned.

WEDNESDAY, 3rd MARCH, 1886.

At the Office, 23, Nassau-street, Dublin.

Present:—Right Hon. the Lord CHANCELLOR, and the Right Hon. Lord Justice FITZGERBON, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD KILLS, Esq., LL.B., was in attendance.

The Lord CHANCELLOR.—Since our meeting on Monday I have to announce that we have received a letter from the Standing Committee of the Catholic Head Masters, stating that some of them are prepared to come and give evidence here. We are very glad to receive that letter, and to have an opportunity afforded us of hearing the views of the Catholic head masters.

We will not be able to sit to-morrow, but on Friday we propose sitting, and on that day hearing such of the Catholic head masters as think fit to come and put before us their views; and of course it will be open to all the parties who are here now to attend on that day also, and to ask such questions as they may think fit, and to the gentlemen who will appear before us.

Robert
McDonnell, esq.,

Robert McDonnell, esq., recalled, hands in* returns relating to the Royal Schools.

397. Mr. O'NEILL.—Taking each of the six Royal schools, he has taken a period of five years, the years 1881, 1882, 1883, 1884, and 1885, and he has made out the total sum of rents received in each year, and then the other receipts in each year, and then come the expenses of management, and he gives a column of agency expenses, and then miscellaneous and law costs and the total; then he gives the expenses of education, and he divides that into salaries, exhibitions, repairs, and miscellaneous, and he brings out the total, so as to show what was the cost of the entire management of the Armagh estate for those five years, and how much went to education; taking the case of Armagh school alone, the total cost of management was £3,291 17s. 10d. and the others are pretty much the same.

Witness.—They are pretty much in the same proportion.

398. Rev. Dr. MOLLOY.—It strikes me that possibly there might before other items added. There is a column here giving the actual rents received. If we had one column before that giving us the nominal rental of the estate, we should then have the whole. Would that be inconvenient?

Witness.—Not in the slightest.

399. Rev. Dr. MOLLOY.—That would be a permanently useful record for us to have with regard to the future financial administration of the endowment.

400. The Lord CHANCELLOR.—You prepared these returns?—I prepared these returns.

401. From what have you taken the materials for them?—From the annual reports of the Commissioners.

402. Are they made out accurately in accordance with those materials?—I believe them to be made out accurately. I just wanted to make an observation upon them if I might be allowed to do so. It is that if you examine the Armagh agency expenditure, you will find it is for the five years 64 per cent. That is what the agent received. That includes his salary, and all the other expenses.

403. Rev. Dr. MOLLOY.—Is that 64 per cent. on the rents received or on the rental?—On the amount received. If you add up the figures in the Banagher case, you will find it is almost exactly 5 per cent. I do not think Banagher, however, is fair to take as a specimen, for, but for exceptional circumstances, it would be more. The agent died and there were special matters of that kind, and there was a Chancery suit with regard to it. In the Carrigrohane case the agency fees will be found to be 5.1 per cent.

404. Have you made up the other averages in that

way?—Well, I have not had time to do so. Then with regard to the management of the funds and of the commission generally, it will be found that in the Armagh case 32 per cent. is the cost of management and necessary outgoings. That includes the agency.

405. The Lord CHANCELLOR.—Does that include title-charge?—It includes everything. The amount is 25 per cent. for Banagher, and 24 per cent. for Carrigrohane. Now, I do not think those figures exactly correspond with what has been the general impression; I think the general impression in the room on Monday was that the management was a great deal more expensive than that, and that is the reason I wanted to make these observations. I have not had time to do the calculations for the other schools.

406. Lord Justice FITZGERBON.—Did you during those five years not have any savings for Carrigrohane?—I think I should have added another column with regard to the savings, but I did not do it for this reason, that my object in preparing these tables was to show the percentages.

407. Take the case of Carrigrohane first, your total receipts for the five years are £3,066 6s. 8d.; and then the total expenditure, amounting to education £2,134, and expense of management £836 18s. Those figures do not balance. Does the balance in each case represent money saved or lost, or is the case very hot?—It does.

408. You can add that to the table?—I can.

409. In Armagh the total receipts are £7,017, the total expenditure, outlay and management £3,391, and resulting education £3,935. These together make more than £1,000 of a deficit?—There was a deficit incurred at Armagh during those five years.

410. Mr. O'NEILL.—Was that supplemented by other schools?—Yes, it was.

411. Lord Justice FITZGERBON.—Can you without difficulty add a line at the bottom stating the amount to the credit or to the debit of each of these schools?—Yes. I may just say this, that in those five years we have expended in education £22,934, which makes almost an average exactly of £4,600 a year.

412. Rev. Dr. MOLLOY.—In 1884?—There was a considerable amount of opposition to the payment of rent in 1884, and it would be hardly fair to take it as an average, but taking the five years on the average we have actually expended £4,600 a year, and I think that shows better than in another way the amount we are likely to derive from capitalisation.

413. How do you keep the accounts—is it for the calendar year?—The cash accounts are kept from the 1st of January to the 31st of December.

* App. B, No. V. (C), p. 406.

† App. B, No. V. (C), p. 307.

March 5, 1886.
Mr. J. J. Shaw.

Mr. J. J. Shaw.—My lords, I appear here on behalf of the Intermediate Education Committee of the General Assembly, with Dr. Martin of Newtownards, the convener, and Professor Leitch of Belfast, a member of the Committee. The Committee recognise in the fullest way the perfect fairness with which the claims of Presbyterians have been met by the Commission in framing this scheme. But the Committee have one fundamental objection to this scheme. They do not consider that sufficient power has been given to them, nor indeed to any of the bodies to whom these schools are to be intrusted, in the management of the schools. The Presbyterian body are of opinion that there would not be the slightest use in giving them a school to be a Presbyterian school and to be conducted under Presbyterian auspices, and for the purpose of Presbyterian education, unless you give to some Presbyterian board responsible to the General Assembly of the Presbyterian Church, and responsible to the General Assembly only, the power of appointing head masters and dismissing head masters, of prescribing the course of education, of prescribing the mode of fees, and of assuming the general control and management of the school as a working institution. There is another point on which the Committee hold very strong views. They think that, if this school is to be constituted as a Presbyterian school, a necessary part of the scheme would be that the school premises should be handed over to, and vested in the Presbyterian body, so as to enable them to make improvements in the buildings and to regard them as the property of the Presbyterian Church in Ireland, making them a *corpus bonum* which Presbyterian endowments might gather. And I have been instructed to say that the Presbyterians, while perfectly willing under any scheme that may be adopted to take the Dungannon school, and to undertake the responsibility of establishing a school there, and of conducting it with efficiency, are of opinion that it will be necessary in order to do that with any probability of success that they should have a direct control in the internal management of the school and have a direct power of appointment of masters, and direct control over the course of education, and that the endowments should be vested in such a way as to give them control over them, subject of course to guarantees for the proper administration of the endowments and for the efficiency of the school, such as might be secured by inspection or otherwise.

My lords, the Committee of the Presbyterian Church, after consideration, are of opinion that it would not be for their interest, or for the interest of education generally, in the north of Ireland, that the whole of the endowment should be applied to the maintenance of these four great schools, or that their part of it should be concentrated upon one particular school. They are perfectly willing to take Dungannon School, as proposed by this scheme, and to work it and to guarantee that they will make it an efficient and successful school, but they would prefer that the whole of the endowment should not be given to Dungannon school. And they are of opinion that a very much smaller amount of endowment will be sufficient to enable them to maintain Dungannon school in a state of efficiency, because they anticipate that it will be a successful school, and have a large income from bursaries and fees, and other sources, so that a large endowment will not be necessary.

There is another very important thing for the Presbyterian body in the north of Ireland,—the creation or the maintenance of smaller schools throughout Ulster, which will meet the wants of their population, in many respects, a great deal better and more effectively than a large boarding school in Dungannon would. The part of the Presbyterian population whose education it is most desirable, in the view of the Commission, to look after, is not the children of wealthy or comparatively wealthy men, who would be able to send their boys to a great boarding school like Dungannon, and pay sixty or seventy guineas a year for

boarding them; but the sons of the smaller professional men, the sons of Presbyterian ministers, the sons of respectable farmers, and of the smaller tradespeople, who are not able to avail themselves of an institution like Dungannon; and we think, that assuming that the Presbyterian body had a certain amount of money in the year to spend on the promotion of education, it would not be for their interest to concentrate all that money in maintaining a magnificent establishment of a very high class in Dungannon. It would be very much more for their interest to establish and maintain in a proper degree of efficiency, a number of smaller institutions of perhaps not so ambitious a character, to use an expression of Lord Justice FitzGibbon, in the smaller centres of population throughout the counties of Ulster in which Presbyterians reside, such as Newtownards, Downpatrick, Newry, Cookstown, Ballymoney, Ballymena, and towns of that class.

When we approach the subject of how this endowment ought to be dealt with, the first point that the Committee wish to impress on the Commission is, that this endowment of the Royal free schools is an Ulster endowment, and that it ought to be applied for the promotion of education in Ulster. We are of opinion that, under section 13 of the Act which the Commission is administering, a scheme should be framed in such a way as to give the benefit of this endowment of the Royal free schools to the area which has hitherto enjoyed it, and which it was intended to benefit. This view is not confined to the Presbyterians, because before the Commission of 1881, the Rev. Dr. Henry, president of St. Malachy's College, Belfast, who is very well known there as an eminent Roman Catholic educationist, said "I think that as the property of these schools is situated in Ulster, Ulster alone should have the advantage of it." His evidence is referred to at page 50 in the Report of 1881.

The Lord CHANCELLOR.—Would you confine it to the Plantation counties in which these schools now exist, or would you extend it to the entire of Ulster?

Mr. Shaw.—I think that is a very small matter.

The Lord CHANCELLOR.—You would exclude Antrim, Down, and Londonderry.

Mr. Shaw.—Derry is one of the Plantation counties.

The Lord CHANCELLOR.—But there was no school founded in it.

Mr. Shaw.—We do not propose to confine it to the six counties.

Lord Justice FitzGibbon.—You would confine it to those portions of Ireland in which there is a considerable proportion of Presbyterians.

Mr. Shaw.—We would confine it to Ulster. At present the proposition we make is that this endowment was not intended for places outside of Ulster.

Rev. Dr. McArthur.—The difficulty you have to face is that if your argument is a good one the limitation ought not to be to Ulster, but to those particular counties in which the endowment exists.

Lord Justice FitzGibbon.—Are you prepared to accept the principle that whatever share the Presbyterians see to get should be applied to places where they are numerous?

Mr. Shaw.—We wish it to be applied to Ulster where we reside, and where we have the greatest interest, and it cannot be contended that this endowment was intended for the whole of Ireland, or that the whole of Ireland has an interest in it. We say it was founded for the maintenance of education in Ulster.

Rev. Dr. McArthur.—You have said it was an Ulster endowment. What does that mean?

Mr. Shaw.—It means that neither Munster, Leinster, nor Connaught had any benefit of it, nor were they intended to have any benefit of it.

Rev. Dr. McArthur.—In the past?

Mr. Shaw.—In the past.

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Mr. A.J. Shaw.

Rev. Dr. MOLLOY.—And therefore should not have any benefit from it in the future?

Mr. Shaw.—Nor in the future. And it is provided in the Act which the Commissioners are administering that they should have regard to the area.

Mr. Orr, Q.C.—But boarders came to the schools from the whole of Ireland. Is the whole of Ireland to be considered the area?

Mr. Shaw.—The boarders do not get the benefit of the endowment at all. Instead of the endowment existing for the boarders, the boarders supplement the endowment. Undoubtedly the boarders in the schools have no benefit of the endowment. Whatever they paid went in supplement of the endowment, and helped to maintain the school. The school was not maintained for them, but they helped to maintain it for others; and therefore to say because a boarder came from Munster and paid seventy guineas a year for what perhaps he would have paid fifty for elsewhere, that he was getting the benefit of the endowment, would be most extraordinary.

As to Presbyterians who are taking advantage of superior education at school, I refer your lordships to page 67 of the Census Commissioners' Report of 1881. I want to call your lordships' attention to a matter which was raised yesterday in reference to the naming of superior schools. It was thrown out that a good many of what are known as colleges were included as colleges and not as schools in the Census report, but the Census Commissioners say: "In the second of our classes, 'superior schools,' we include many high-class establishments popularly known as colleges, together with all schools, both public and private, in which a fair percentage of the pupils were engaged in the study of foreign languages."

Rev. Dr. MOLLOY.—I do not think we had the Census figures before us yesterday, but the figures taken from *Shaw's Directory*.

Mr. Shaw.—Now, my lords, they give the statistics of the number of establishments of this class, that is of superior schools, and of pupils attending them in 1861, 1871, and 1881. They give the numbers of the denominations, Roman Catholics, Protestant Episcopalians, and Presbyterians, in those years; this of course refers to the whole of Ireland: "In 1861, the number of Roman Catholic pupils was 10,697; in 1871, 10,568; in 1881, 10,145, showing a decrease, as compared with 1871, of 828 pupils. In 1861 the number of Protestant Episcopalians pupils was 7,877; in 1871, 6,548; and in 1881, 6,490, showing a decrease, as compared with 1871, of 78 pupils." There was a steady decrease in the number of Protestant Episcopalians pupils throughout both of those periods. The number of Presbyterians in 1861 was 3,300; in 1871, 3,494; and in 1881, 3,770, showing an increase, as compared with 1871, of 76 pupils. Your lordships will observe that the Presbyterians are the only body who have been steadily increasing in the number of those getting superior education. The number of Methodists in 1881 is given as 589, and of all other denominations as 824. I may say that the members of all other denominations include of course a number of smaller Presbyterian bodies which are not in connexion with the General Assembly, such as the Covenanters and Seceders, and also the Unitarians.

Rev. Dr. MOLLOY.—Can you give us a list of the schools which are represented by those figures?

Mr. Shaw.—Yes. They give you in the first instance universities and colleges, which they exclude from these.

Rev. Dr. MOLLOY.—I find that such colleges as St. Stanislaus' College, Tuam, and Reekwell College, Caher, which are really intermediate schools, are included under the head of "other colleges," and not under the head of "superior schools," from which you have taken your figures. The difficulty I have then is that under that head of "Colleges of universities and other colleges" a number of intermediate schools, and those, the largest intermediate schools, may be included.

Mr. Shaw.—If you take those colleges they are generally of a university character.

Rev. Dr. MOLLOY.—Now Reekwell College; it is purely intermediate.

Mr. Shaw.—I do not know anything about that, but it was only with a view of giving the figures accurately as there was some question about them yesterday, that I quoted them.

Rev. Dr. MOLLOY.—It is only to show that we cannot trust to the inferences from these figures that I put my question.

Mr. Shaw.—The Census Commissioners explain that they include amongst superior schools a number of places popularly called colleges. One table given at page 372 we think of very great importance. That gives the number of pupils according to religion and sex receiving instruction in Latin, Greek, modern languages, mathematics, and Celtic during the week ending 14th May, 1881. Now, if you take Latin, for example, the number of pupils receiving instruction in Latin alone, and taking Ulster—it is with a view to the population of Ulster I refer to this—you will find that the Roman Catholic males receiving instruction in Latin are 621; females, thirty-one. If you take the head Protestant Episcopalians, you will find males 747; females, fifty-three. If you take the Presbyterians you will find the males are 806, and the females 116. The Methodists receiving instruction in Latin are—males, 112; females, thirty-two; and all other denominations—males, 352; females, twelve. I need not trouble your lordships with statistics as to Greek, modern languages, and mathematics, because they nearly all bear about the same proportions, and if you take those who are learning Latin, Greek, and modern languages it is a fair test, I think, of those who are getting what is called superior education as compared with primary education. Mathematics is not so fair a test, because mathematics are taught in all National schools. If you take these figures you will find that of the number of males and females who are receiving superior education in the province of Ulster about one-third are Presbyterians.

The Lord CHANCELLOR.—What you call intermediate education.

Mr. Shaw.—What we call intermediate or superior education as distinct from primary education, and also as distinct from university education. And the Committee of the Presbyterian Church are of opinion that, taking this as an Ulster endowment, that if it is to be allocated on denominational principles at all, they are clearly entitled in such an allocation to at least one-third of the endowment.

The Lord CHANCELLOR.—Your case is that they are entitled to one-third of the endowment.

Rev. Dr. MOLLOY.—But, I think, you only make that case on the supposition that the endowment is restricted to Ulster?

Mr. Shaw.—Certainly; my argument depends upon that. We now come to the mode in which the endowment should be administered. We say that the proportion of the endowment that is to be allocated to the Presbyterians should be handed over to some body under the management and control of the Presbyterian Church, either the incorporated trustees who exist under the Act passed after the Church Act, and who hold a large amount of property for the purposes of the Presbyterian Church, or, if your lordships thought it better, to an educational board.

Lord Justice FITZGERALD.—What is the name of the body?

Mr. Shaw.—The Communion Fund Trustees. They have powers to hold lands and to hold endowments of all kinds.

Lord Justice FITZGERALD.—Similar to the powers of the Representative Church Body?

Mr. Shaw.—Yes.

The Lord CHANCELLOR.—Who are the members of it?

Mr. Shaw.—The members of it are nominated by the General Assembly, and vacancies are filled up from

time to time as they arise by election in the General Assembly. We are prepared to take that fund, and to manage it subject to such guarantee, by way of inspection or otherwise, as may be necessary to secure that it shall be applied to the purposes of education, and to the purposes of superior education alone.

The Lord Chancellor.—That is whether handed over to the Commutation Fund Trustees or to a board?

Mr. Shaw.—Yes. They would ask that they should have power to apply that fund subject to such guarantee as might be considered necessary to insure that the fund was applied for the purpose that it was intended for, that is for the purposes of superior education, but that they should have a discretion.

The Lord Chancellor.—To apply it to particular schools, or generally for the purpose of education?

Mr. Shaw.—Yes.

The Lord Chancellor.—A power of concentrating it on one school, or attaching it to a number of schools?

Mr. Shaw.—Yes.

Lord Justice Fitzgerald.—When you say concentrating it on one school, do you desire or intend that Duncannon should be kept up as a Presbyterian school?

Mr. Shaw.—We desire that it should be continued and that it should be one of the schools to which we should be at liberty to apply the money for the purpose of maintaining it, more or less, according to its necessities. But the view we take is, that Duncannon might turn out to be such a success, that a large endowment would not be necessary, and that some portion of the money might be applied elsewhere.

Lord Justice Fitzgerald.—I find that Coleraine the most successful of your schools, has only an endowment of £100 a year.

Mr. Shaw.—I am instructed to say that we do not think that such a large endowment as to make a school practically independent of its success as a school is at all desirable.

Rev. Dr. Molloy.—I suppose you think that if the Presbyterian body had schools under their own management they would be much more likely to make them successful than if the schools were under the management of Commissioners in Dublin?

Mr. Shaw.—I hope under Presbyterian management they would be more successful than they have been, under the control of the Commissioners of Education. But assuming that the endowment is to be divided we think it could be managed more efficiently if it is given to a Presbyterian Board, who will have a very large discretion in the application of it, and who will not be fettered by a scheme laid down in which a certain amount of endowment should be attached permanently to one particular school, under the control of an external board. But I am instructed to say that there is an alternative system which the Committee would be perfectly willing to adopt if it should recommend itself to the Commission as a better scheme than that. They are perfectly willing to work a scheme of education on lines such as these, that there should be a central board, which should retain in its own hands the whole of the estates and funds of the endowment, and should manage them financially, having very little indeed to do with the management of schools in particular districts, and that the income of that board should be applied to the promotion of education on a system of giving grants in aid to schools in particular districts, those grants in aid to be determined by the success of the schools and the efficiency of the educational work done therein and ascertained by inspection, on the principle of giving grants to the schools in accordance with the amount of educational work done.

The Lord Chancellor.—How would you ascertain that?

Mr. Shaw.—By inspection—by examination, by inspectors in the schools. The inspector should report

whether the school was efficiently managed, and whether the teaching was of an efficient character in the school, and it should depend upon the report of the inspector whether any part of the fund should be given to a school at all. In order to guard against the abuse of a school receiving aid in that way that was not entitled to it, we would not give any to a school where there was not a certain number of pupils, boys and girls receiving superior education, that is, learning Latin, Greek, Modern Languages, and Mathematics, and who are recognised as the subjects of superior education as contrasted with primary education. We are of opinion that there should be also a maximum limit fixed beyond which the grant should not go, because it has been found that the working of the system of the Intermediate Education Board has tended to go against the smaller schools in the more sparsely populated districts, and to give greater encouragement to the larger schools in larger towns where schools are able practically to exact by their own strength. It has been found also that on the mere examination system, a large thoroughly organized school, such as you get in the large towns has a tremendous advantage in the competition for results over a smaller school, where one master has to give his attention to a number of pupils and subjects, where he cannot subdivide the teaching to the same extent as is done in the large schools. And I am instructed that the effect of the working of the Intermediate Education system has been to a considerable extent to crush out the smaller schools in the rural districts and the smaller towns, and to concentrate the whole endowment of the Intermediate Education Board on the larger schools in the larger towns where endowment is not so much needed. And therefore we propose to have some safeguard provided against that, so that the smaller schools shall have a fair chance in the competition.

Rev. Dr. Molloy.—Does that practically mean that you would give a larger grant in aid to a small school for educating, say twenty boys, than to a large one?

Mr. Shaw.—A larger proportion.

Rev. Dr. Molloy.—You would not give an absolutely larger sum to the smaller school for educating twenty boys?

Mr. Shaw.—No.

Rev. Dr. Molloy.—Then if you would give an equally large sum for educating every twenty boys, to each school, you would give a grant in aid in proportion to the numbers in each school.

Mr. Shaw.—But I would have a maximum limit fixed.

Rev. Dr. Molloy.—Then for the number which would exceed that limit, you would not give anything?

Mr. Shaw.—We would fix a limit so that suppose there was an enormous school, a very large school in a particular town, able to turn out 400 or 500 boys, it would not be able—observe, in proportion—to get the same amount, proportionately. The Committee have seen that any application of this fund in the way of grants in aid would be liable to the abuse, that the real schools that would be getting the endowment, would be the schools which would not so much need it, and which were able to exist on their own strength, while the schools they wished to create and maintain would be crushed out.

Rev. Dr. Molloy.—Have you considered whether you would draw a minimum line as well as a maximum line?

Mr. Shaw.—Certainly. Almost the first thing I said was that I would give no grant whatever, unless there was a certain number of pupils, to be fixed by the board, actually receiving superior education, so that if you had only ten boys, and say that the minimum was twenty, far only ten you would receive no grant at all.

Rev. Dr. Molloy.—Have you considered where you would draw the minimum line?

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Mr. J. J. Shaw.

Mr. Shaw.—I have not thought out the details of the scheme at all.

Rev. Dr. MOLLOY.—But the details are very essential; because on the question where you will draw the minimum line will depend the extent to which you will sub-divide your endowment; and the danger would arise that the fragment coming to each school might be inensible, and the endowment might be frittered away without doing any substantial good.

Mr. Shaw.—It would be frittered away from having a very large number, but we, of course, would have a minimum.

Dr. TRAILL.—You could not fix that minimum until you know what the whole endowment was, and the size and number of the schools?

Mr. Shaw.—Certainly not.

Rev. Dr. MOLLOY.—We have a rough estimate of what the endowment would be—£1,000 a year.

Mr. Shaw.—I may say that although the committee are ready to accept either of these alternative schemes, I think they prefer to have the endowment handed over to themselves, their share of it to be applied at their discretion to the promotion of education on the lines they think best.

Lord Justice FRASER.—You have to meet some of the provisions of the statute in that case. For example, every school which takes a share of any endowment, must be subject both to inspection and to audit.

Mr. Shaw.—And we are quite prepared to submit to the fullest inspection. And furthermore I am instructed to say that the Presbyterian body are perfectly willing and in fact desirous, to make any school that is endowed in that way, open to the whole population with the strictest conscience clause to protect the religious convictions of anybody who comes to the school. They do not wish in the smallest degree to use their schools for the purpose of promoting purely Presbyterian doctrine, but simply for the purpose of education of their own boys, and of any boys who come to them, and if the Commissioners should see their way to establish any system of schools under Presbyterian management, they are perfectly willing to pledge themselves to have their schools open to anybody who comes to them, and to have guarantees provided for the religious protection of anybody who comes to the schools. And that brings me to the last point. The Presbyterian committee object to an ex-

clusively denominational character being given by a scheme to any of the schools that would be founded under this board. They are perfectly willing to admit that so far as a school is a boarding school, of course it is impossible to expect that if you have a head master of a boarding school receiving boarders of a particular religion—

The Lord CHANCELLOR.—Say, conducted by a clergyman.

Mr. Shaw.—Say conducted by a clergyman—that parents would send their children as boarders to a school conducted, either by a clergyman or by a layman of a religious denomination, where the religious difference is very considerable; but so far as day schools are concerned which are open to the reception of day scholars, the committee of the Presbyterian Church, are decidedly of opinion, that any school receiving any portion of the endowment ought to be an open school, that is, that the school should be available in any particular district, for the children of any religious denomination in the district who chose to come.

Lord Justice FRASER.—You are aware that every school that shares in the Intermediate endowment has a conscience clause. Does that conscience clause satisfy the Presbyterian committee as being sufficiently strict?

Mr. Shaw.—I do not know. I think the Presbyterian committee would prefer a conscience clause framed in another way, that is to say, that there should be certain hours set apart for separate religious instruction.

Lord Justice FRASER.—That is the National Board clause, but the difficulty you see arises that there are other denominations that do not approve of it.

Mr. Shaw.—But there is no denomination that has not been ready to work under it, and that has not accepted it for pecuniary purposes.

Rev. Dr. MOLLOY.—If you are to get your share of the endowment in cash, then the value of the Dungannon school buildings must be deducted, as constituting a part of your endowment.

Mr. Shaw.—Certainly, we should consider the buildings of the Dungannon school as part of our endowment; but we should take them as an addition to our endowment in cash, not as a deduction from it.

Rev. William Todd Martin.

Rev. William Todd Martin, of Newtownards, sworn.

414. Mr. Shaw.—Dr. Martin, you are the convener of the Intermediate Education Board of the General Assembly?—I am.

415. That is the board which has charge of all matters touching intermediate education?—Yes.

416. As distinct from primary education on the one hand, and university education on the other?—Yes.

417. There was a meeting of your committee since the scheme of the Clare-street Commissioners was promulgated?—Yes; we considered it.

418. With reference to the proposal to establish and endow and maintain a denominational school at Dungannon, of which the head master should profess the faith of the Presbyterian Church in Ireland, would you just tell their lordships what is the view that you take?—We considered that the Clare-street Board had shown a spirit of fairness towards us, and we are quite satisfied with their proposal in that respect.

419. Are you willing to take the Royal school at Dungannon and to work it as a school for the Presbyterian Church, or under the control and management of the Presbyterian Church?—Yes; we would take it.

420. I dare say the school at Dungannon would suit your purpose quite as well as any other school?—It seemed to us the best, on the whole, for such a purpose.

421. There are certain powers reserved by the Commissioners in the management of these schools, such as the appointment and the dismissal of the head master, and the prescribing of the course of education, and other powers of that sort. Would you state to the Commissioners what was the view of your committee with respect to that?—Our view was that the school must succeed mainly as a boarding school, and that in that case its success would depend upon the masters having the confidence of the Church.

422. Do you think it desirable that the appointment of the master should be in the hands of a body over which the Church would have no control whatever?—No; certainly not.

423. Or that the power of dismissal of the master should be reserved to that body?—We consider that unless we have such power in the management of the school that our ministers and people would have confidence in the conduct of the school, it is not likely

that boarders would come to it in sufficient numbers, that is, Presbyterian boarders.

434. Did you consider at all the nature of the wants of the Presbyterian population of the North of Ireland as to intermediate education which had to be supplied? Of course you have been considering that financially?—Yes.

435. Did you consider it in reference to this proposal for establishing a school at Dungannon, and applying practically the whole endowment, so far as the Presbyterians are concerned, to the maintenance of that one school?—Our view was this: that as a stimulus to education this fund is so small it cannot provide for any very large endowment to be distributed widely, considering the amount of the fund, and that it would be best applied rather to the maintenance of schools where they are needed than as concentrated in one great boarding school.

436. Did your Committee consider that a large endowment is desirable for a school?—Well, our Committee would consider a well endowed school, of course, an advantage, but where you have not funds very ample, we should say it was not the best allocation of the fund.

437. To give a very large endowment to any one school?—No; we considered that private enterprise would be leavened by giving a very large endowment to one school.

438. Did you at all consider any alternative scheme for the application of that part of the endowment which it was proposed in this scheme, as you understood it, to give to the Dungannon school?—Yes; we considered that matter, and we thought that it would serve the interests of education for the Presbyterian part of the population best, if we could stimulate the union and vigorous maintenance of schools in districts which are not now well provided. Large towns are already provided for in schools which meet the needs of the Presbyterian population fairly well; but there are districts which are not well supplied, and it is with a view to the advancement of education in those districts especially that we considered the matter.

439. Lord Justice FitzGibbon.—Can you give me some instances of the districts you refer to?—Well, if you take the town where I live, Newtownards, we have got a school there which is a fairly flourishing school. I cannot give you the numbers just now, but the master told me the other day that those studying the Intermediate course, that is, the subjects of the Intermediate course, were about sixty.

440. That is Mr. McKee's school?—Mr. McKee's school. Now, with respect to that school it is difficult to maintain it successfully as a private venture school. We have spent on that school—when I say we, I mean gentlemen of different denominations, but mostly Presbyterians—I think, we have spent about £700 in maintaining that school.

441. Dr. TRAILL.—For what number of years?—Since 1879. The building we got for the use of the school by the favour of the congregation of which I am minister.

442. Mr. SHAW.—Then the £700 was chiefly spent in maintaining the school as a working institution?—In the earlier years we had to pay a large staff of teachers in proportion to the number of pupils.

443. Would you consider that in a place like Newtownards an endowment of £500 or £600, to the school would be of very great benefit to it?—Yes; it would be a very great benefit.

444. Dr. TRAILL.—Are the pupils boarders or day boys?—Day boys, but I think the master has at present two boarders.

445. Mr. SHAW.—But chiefly it is a day school that is maintained?—Yes. The difficulty with respect to a school of that class is this: some of the boys are looking forward to University examinations, and others do not intend to go to a University, but are simply looking for a better education than the National school gives them, farmers' sons and others; these

come into the school without any preparatory training other than that given in the ordinary National school, and it is extremely difficult in the case we have been considering to obtain results proportionate to the work done. It is one of the difficulties of the present system at present, taking in the ordinary National school pupils, and then working them up, under the regulations as to age, for the Intermediate examinations. This places such a school at a disadvantage as compared with other schools that are larger.

446. The Lord CHANCELLOR.—Then would you utilise this fund for the purpose of subsidising the schools that are prevented in that manner from gaining the benefit of the Intermediate Education system?—Yes. They are prevented from gaining the full benefit.

447. Mr. SHAW.—I suppose Newtownards is more favourably situated, being near Belfast, than some other towns?—Well that works both ways; it brings us into competition with Belfast.

448. There would be less need for a school of that class in Newtownards, because the boys there might go to Belfast?—Yes.

449. Suppose that those endowments of the Royal free schools are allocated on denominational principles, and that a certain proportion is proposed to be placed for the purpose of promoting education in Presbyterian hands, would you prefer or not, that that fund or whatever proportion you were to get should be handed over to a body under Presbyterian control?—We should prefer it to be handed over for this reason among others, that it might form a nucleus for endowments of our own.

450. You think that men of wealth belonging to the Presbyterian Church, proposing to give money for educational purposes, would be more likely to give it to a body under the control of the Presbyterian Church, than to a body composed of different denominations?—Oh, certainly.

451. Do you think that private endowments of that sort are likely to be available?—I should hope they would be.

452. The Lord CHANCELLOR.—How would you propose that the body to whom the educational endowment, or the portion thereof to which the Presbyterian body would be entitled, would be handed over, should be constituted?—I think it should be constituted as all our Boards are in the Church, by the General Assembly.

453. At present, as I understand it, there is a Committee of Intermediate Education connected with the General Assembly. You are the convener of that?—Yes.

454. Do you consider that body as constituted at present, subject, I presume, to the control of the General Assembly, would be a fit body to have the management and control of this fund?—No, my lord, I should think it advisable that the Church should select from the different committees. We have at present three committees on education. The committee of which I am convener deals with intermediate education only.

455. Are the members elected from year to year or for any fixed time?—From year to year.

456. That is, the entire body goes out of office, and they are re-appointed, or others are appointed in their stead?—Yes.

457. Lord Justice FitzGibbon.—What is the body that elects them?—The General Assembly.

458. What does the General Assembly consist of?—Of the ministers and representative elders of our congregations and the professors of theology in our colleges.

459. Are there one minister and one elder, or more than one, from each congregation?—There is one elder, and in some cases a second minister. The ministers form rather more than half.

460. Then, except in the matter of the bishops, in principle your General Assembly corresponds to the General Synod of the Church?—Yes.

March 5, 1886.
Rev. William
Vodd Martin.

March 4, 1895.

Rev. William
Telford Harris.

451. You are aware that under this Act we have power to incorporate a body, that is to say we are in a position to turn a body consisting of fluctuating members, into a perpetual corporation for any specific purpose connected with education. How would you propose that a perpetual body to represent this intermediate education for your Church should be constituted?—I would propose that any such body should be constituted by the General Assembly.

452. The Lord CHANCELLOR.—That is to say, that they should nominate the members?—That they should nominate the members, and then whether they nominate them for life or for temporary appointments, I think that should be for the Commission to express an opinion upon.

453. Lord Justice FRASER.—But at present the committees are elected annually?—The committees are elected annually.

454. The Lord CHANCELLOR.—And you do not consider that one of these bodies now existing would be exactly the body that should be appointed?—No, my lord, our committee would not ask to be created by this body.

455. Lord Justice FRASER.—Is your General Assembly so constituted as to be qualified to appoint members of a body capable of managing local endowments?—Yes.

456. And it is the best body to refer that duty to?—Oh, certainly. I may say that the Corporation that holds all our property is appointed by the General Assembly.

457. Under the statute?—Under the statute.

458. The Lord CHANCELLOR.—Does the General Assembly represent all the Presbyterian bodies in Ireland?—It represents the great body of the Presbyterians in Ireland. There are some connected with the United Presbyterian Church of Scotland.

459. Are they portion of the body represented by the General Assembly?—They are not.

460. They are distinct?—They are a very small body. Then there are the Covenanters; they are a body larger than that I have now mentioned, and they are a body distinct.

461. Profound DOUBT.—Do the Covenanters avail themselves of a State endowment for education or any other purpose?—I understand not.

462. Lord Justice FRASER.—Among Presbyterians, I suppose the General Assembly represents all the Trinitarian Presbyterians with the exception of those who still retain their connexion with Scotland, or who are as Covenanters rather against meddling with State affairs at all?—Yes, except those called Seceders, who are very few in number. The Covenanters make it a question of discipline, if a member takes part in State affairs.

463. Rev. Dr. MOLLOY.—About that division of the fund into three parts, one part to be allotted to the Roman Catholics, one part to the Episcopalians Protestants, and one to the Presbyterians, it may be objected that such a division would not cover the whole population, though it would cover by far the greater part; have you considered how you would deal with the residue, not included in these three denominations?—We have not formed any judgment upon that subject.

464. Would the Methodists be included in any one of these three divisions?—They would not.

465. The Lord CHANCELLOR.—You would not consider the Methodists as naturally belonging to your body?—No.

466. Rev. Dr. MOLLOY.—Could you make an arrangement to give them part of your share?—But I cannot see why a portion should be taken off our share.

467. Because it is necessary in order to complete your scheme; you propose to make a three-fold division, and unless you take the Methodists into your division, you have made no provision for them?—We only say, that if you take these statistics as the basis of the arrangement, you will find that one-third of the whole

sum would be the proportion to which we could fairly make claim.

468. Lord Justice FRASER.—That is, supposing it is confined to Ulster?—Supposing it is confined to Ulster.

469. Rev. Dr. MOLLOY.—Comparing your scheme with the alternative scheme of administering the whole fund for all denominations, according to the educational work done, there is this advantage under the latter, that it would be open to any denomination whatever, to share in it, whereas your scheme does not provide for the smaller denominations which cannot be brought into the three-fold division?—But I think, Dr. Molloy, that is not the point of the scheme. We have not said anything as to how you are to deal with the other two-thirds. We simply say, that if you take these figures as the basis, the one-third should fairly be allotted for the teaching of the youth of the Presbyterian Church, and we say nothing as to the rest.

470. Lord Justice FRASER.—Assuming that there is to be some share applicable to Presbyterian education, is there any incompatibility in your scheme with a proposal that that scheme should be arranged so as not to exclude the Methodists?—In other words, is the question of getting one-third a vital part of your proposal?—Oh, no, only the question of getting our proportion.

471. Would your proposed committee be in a position to represent the Presbyterian schools, and to put forward their claims to an aliquot share in proportion to the work done by them as Presbyterian schools?—Yes.—Do you mean existing Presbyterian schools?

472. Lord Justice FRASER.—I mean instead of assuming any fixed division into thirds or otherwise that the endowment, as a whole, should be used as applicable for higher education, and divided in proportion to the way in which that higher education was actually given—would your body be in a position to represent the portion of that total education that was given by Presbyterians?—My lord, that appears to me to be another scheme you put forward, that is to say, a self-working scheme which would give according to the work done.

473. Lord Justice FRASER.—Is it any vital part of your proposal that the Presbyterian share should be ascertained beforehand, that what share you are to get should be fixed before we begin to consider the question how it is to be administered?—The usual proposal does involve that—the second proposal, the third part, but I am not bound to its being a third, given over to this corporation, should be a fixed sum at the beginning, that is to say, a certain proportion.

474. The Lord CHANCELLOR.—Ascertained now?—Ascertained now.

475. Mr. SLAVE.—But suppose that the whole sum be retained as an undivided sum in the hands of a central body, do you propose that on the allocation of the fund upon results, by that body they should give first of all by saying "we will give so much to Presbyterian schools upon results, so much to Catholic schools upon results, and so much to Episcopal schools upon results," or that they should give to every body upon results without reference to denomination?—We propose in that case that the schools should receive irrespective of denominational connection.

476. Lord Justice FRASER.—Which body would be the best capable of managing the property, whether a denominational body, or a general central body?—Well, my lord, in the present state of the property I do not think denominational boards would suit—I do not know that they would suit at all for the management of the property, but I go on the supposition that the property would be realized.

477. Turned into money?—Turned into money.

478. But whether that is to be done by immediate sale of the property, or by holding it, and collecting the rents, and getting them into the bank, is either

view of the case, do you think that a denominational body would be unfitted to do that work?—I think it would be unfit to do that work.

478. Suppose the property to be managed by another body, when the question of the application of the money would arise, would your proposed Presbyterian body be in a position to represent the claims of the Presbyterian schools upon the general fund?—I think it would.

480. What you want to do is to put forward from that body the entire claim of the Presbyterians, but when you have got the amount under that scheme, you prefer to distribute it yourselves?—Yes.

481. Do you consider it more for the advantage of Ireland that there should be for each denomination one large and, I do not use the word in an offensive sense, ambitious boarding school, or not?—I think it is more for the advantage of education that the property should be distributed.

482. A great number of our boys go to boarding schools in England; do you consider it worth while trying the experiment of endeavouring to establish, or to keep up in Ireland, boarding schools on the scale of the English ones to which Irish boys should as all events be sought to be attracted?—I should like to see that tried.

483. If that is to be tried, would it not as long as the experiment lasts, practically absorb the whole of the endowment?—Yes, my lord.

484. Does not that bring you round to the proposal of the Commissioners of Education, of substantially endowing Dungannon School alone?—No, my lord, I should be glad to see that experiment tried, if it was possible for us to get funds to stimulate education locally. I believe, that the more urgent need as far as the Presbyterian Church is concerned, is the encouragement of education in localities which a large school does not touch at all. From the class of population that we are seeking to benefit, the public service has received a great number of the very best men who, through very great difficulties have made their way forward.

485. Have those men generally proceeded from the class of day boys or boarders?—From the class of day boys.

486. Then you do not consider that the establishment of a boarding school is as necessary as the support of a large number of small day schools?—I consider a large number of small day schools more necessary.

487. Rev. Dr. McGLOTH.—You have considered the scheme of the Commissioners?—Yes.

488. And you have carefully examined, I suppose, the question of the extent of control which they reserve to the Board over the schools which they propose to establish?—Yes.

489. They reserve the right to appoint and dismiss the head master?—Yes.

490. The assistant masters are also subject to dismissal by them?—Yes.

491. They reserve the right to fix the course of education to be followed?—Yes.

492. And to fix the duties of the head master?—Yes.

493. And to fix the fees to be charged, and the number of free pupils to be received?—Yes.

494. Do you think that a school established in Dunganman, with a Presbyterian head master appointed by the Board in Dublin, and with all those powers reserved to the Board would be likely to be a successful and prosperous Presbyterian school?—I think not.

495. Do you think it almost morally certain that it would fail?—I think it almost certain that it would fail. A great deal would depend on the first man appointed. If the Commissioners appointed a good man it might succeed, but the probabilities are all against a school of that kind succeeding.

496. Do you think that it is a defect in the scheme of the Commissioners, that the Presbyterian body, as such, would have no control over the school whatever,

except through the individual head master appointed?—Yes, I think it is.

497. Dr. THOMAS.—And you object to that head master being appointed by another body for that very reason?—Yes.

498. Lord Justice FERGUSON.—By a mixed board in Dublin?—Yes.

499. Considering that he would entirely represent the Presbyterian education of the school?—Yes.

500. Dr. THOMAS.—You spoke just now of making an experiment with boarding schools. Would you have any apprehension under this proposed scheme if that experiment were made and failed, say that it was made at Dunganman and that it failed, that you would then lose the fund altogether?—I think that might be.

501. And therefore it would be in your view essential, that before the experiment should be made your share should be ascertained?—Yes.

502. So that if your experiment at Dunganman failed, you should still be able to allocate your own share among your own denomination as you thought best?—Yes.

503. Rev. Dr. McGLOTH.—As I understand you would not like to have the experiment tried with this fund?—I would not.

504. But with some other fund?—Yes.

505. Dr. THOMAS.—Provided that your share was not lost?—Yes.

506. Mr. SIMON.—Is the class of Presbyterians in the North of Ireland who require an ambitious boarding school a very large one in proportion to the rest of the population?—It is at all as large as amongst the Episcopalian population?—I should think not, but I could hardly say. Those of our own population who want an ambitious school can find one in Scotland or England, and a great number of them attend Irish schools which are not directly under Presbyterian control, for instance the Academical Institution in Belfast, and I suppose now in the Belfast Academy, in the Calverton Academy, and in the school at Derry. I should think that in those places you would find a considerable number of Presbyterian boys.

507. Lord Justice FERGUSON.—Do you know how many boarders there are altogether in the Academical Institution at Belfast?—I do not.

508. Their return shows that they have 226 day pupils on the list, and only eighteen boarders altogether, and they keep no record of religious denominations. Is there any other school that you know of where there is any substantial number of Presbyterian boarders?—I know of no other such boarders at Calverton. In Belfast some boys board in private houses and attend as day boys.

509. At Calverton, I find they have eighty-seven day pupils who are Presbyterians, and they have three fifty-two boarders. Do you think there is any number of boys who would be attracted to the new boarding schools that are not already going to those schools?—I do not think there is any very large number, unless the boarding schools were made very reasonable in their cost for boys. My hope in regard to the success of the boarding establishment would be that our Church might make some provision for the education of ministers' children for which we have no provision at present. That would give the school very soon considerable popularity, and might, ultimately, strengthen it very much.

510. That would substantially be an endowment of the school?—It would be an endowment of the school substantially.

511. I understand you to say that the Dunganman school must mainly succeed as a boarding school?—Mainly.

512. What number of boarders would it be necessary to attract in order to make it successful?—I have not considered that.

513. Dr. THOMAS.—You have no doubt that if such a head master as Mr. HOSKIN of Calverton, went to Dunganman school, he would make it a perfect success?—I should think it extremely likely.

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514. With regard to the subdivision of the Presbyterian population, it seems that there are a number of Presbyterian bodies of which you only represent one. What is the proportion of the population of the particular body—of course the largest body—which you represent, to the whole body of Presbyterians?—The others are very small in number. We have 550 congregations in the Church.

515. Mr. SIMON.—The other Presbyterians are included in the Census under "all other denominations"?—Yes.

516. You have got "Methodists" and then "all other denominations"?—Yes, those are included in "all other denominations."

517. Professor DOUGHERTY.—These minor Presbyterian denominations are set out separately in the Census?—They are not set out separately in the educational Census, but they are enumerated separately in the report, on page 55.—Reformed Presbyterians, 7,608; Unitarians, 6,395; Non-subscribing Presbyterians, 5,497; United Presbyterians, 2,006; Seceders, 583; Covenanters, 507; Seceding Presbyterians, 559.

518. The Lord CHANCELLOR.—Can you tell us the total of the Irish Presbyterians not represented by the General Assembly?—None of these are represented by it.

519. None of these are represented by the General Assembly?—None.

520. Lord Justice FITZGERALD.—Substantially you represent all the Presbyterians, with the exception of the Unitarians?—Yes.

521. They are a substantial body and the rest are all very small?—Yes.

522. The Lord CHANCELLOR.—The total number of Presbyterians I believe is 470,000?—Yes.

523. Lord Justice FITZGERALD.—You represent ninety-five per cent. of the entire body?—Yes.

524. Mr. SIMON.—As to the manner in which you would conduct these schools, suppose you had the schools under your charge, I believe the Committee agree that any school they take under their charge should be an open school?—So far as a day school.

525. And you are ready to admit pupils of all denominations and not interfere with their religious convictions?—Certainly, we have always done so.

526. The Lord CHANCELLOR.—How many Presbyterian schools are there in Ulster at present?—It is difficult to answer that question, because if I answer as to Presbyterian schools, it would be supposed they were created by our Assembly and not by individual effort. Our Assembly has created two colleges, but it has not created any schools.

527. What are the two colleges?—The college in Belfast for education of Presbyterian ministers, a theological department exclusively, and our college in Derry.

528. Do you mean Magee College?—Yes.

529. There is not an intermediate school?—It is not.

530. There are a number of schools which are substantially Presbyterian schools although frequented by children of other denominations?—Yes, taking their colour from the proprietary or from the locality.

531. Are there many schools founded by private individuals in Ulster?—Yes there are.

532. Lord Justice FITZGERALD.—Is not the Londonderry Academical Institution an instance of a school established by Presbyterians by local effort owing to their dissatisfaction with the schools in the neighbourhood?—Yes, but it is not exclusively Presbyterian.

533. I believe that in practice you could send nobody?—We exclude nobody.

534. I find that in Londonderry Academical Institution there are seventy-five per cent. Presbyterians, twenty per cent. Episcopalians, and five per cent. of all other denominations except Roman Catholics of whom there are none, and I find that they have twenty-eight boarders on an average, and upwards of 100 day boys. Now having regard to the fact that in Derry Institution established in this way under the circumstances I have mentioned the number has not gone

beyond thirty boarders, and about 100 day boys, do you expect that you could make a larger school in Dungsannon?—I think we could make a larger school in Dungsannon.

535. Of course you could if you supplemented it by half pay or free boarders being provided for by a fund?—I have no doubt that the school in Dungsannon would interfere with the schools already existing.

536. Coleraine and Derry?—Yes.

537. The Lord CHANCELLOR.—What are the duties of the Education Committee?—To look after the whole question of the education of our Church.

538. And do you look after the schools of a Presbyterian character?—We inquire about them and take an interest in them, and if any matter arises that requires our attention, we give it our attention.

539. Can you give any idea of the number of schools of that class that are in existence which you say you look after and take an interest in?—Our business is not looking after the schools, but looking after the interests of the pupils.

540. Mr. SIMON.—There are no schools in which you have any right of interference?—No.

541. Lord Justice FITZGERALD.—How many members are there on the Committee?—We have thirty members.

542. How often do they meet?—We have not stated meetings, but we meet when any matter arises that requires attention.

543. Assuming that a body be formed for the exclusive purpose of managing any endowment yet, how many members ought it to consist of?—I should think not more than a dozen.

544. The Lord CHANCELLOR.—Do you think the laity of your Church would be entitled to allow its fund to be managed by a body appointed by the General Assembly?—Yes.

545. Lord Justice FITZGERALD.—You have already 40 per cent of laymen in the Assembly?—I should think there is that proportion entitled to sit as members, but I cannot give the exact figures.

546. And do you divide by orders or by heads?—By heads.

547. Do they go into the same lobby in the same proportion?—It depends upon the question entirely.

548. But you have no system of division by school?—No.

549. And the General Assembly being an elected body you would not object to leaving the proportion of laity and ministers to be determined by an elected body?—I consider the Assembly quite competent to fix the proportion.

550. Rev. Dr. MOLLOY.—In the alternative hypothesis that the whole of the Royal School endowments would be administered by a central body according to the work done by schools throughout the country, I should like to ask one or two questions. Can you say approximately what size you would require a school to be in order to be entitled to receive a share of the endowment?—I should say twenty or twenty-five pupils would be the least I would encourage. I am not giving this as a fixed number, but I should think that under that a school would be hardly worth supporting.

551. And that the fund would be too much frittered away?—Quite so.

552. How would you determine the efficiency of a school? Would you have inspection alone, or inspection with examination of the pupils?—I would decidedly prefer inspection with examination by an inspector.

553. Then would you distribute the endowments in proportion to the number of pupils who would pass the examination, or in proportion to the number of pupils in the school?—Well, I should be inclined to distribute it in proportion to the number who would pass the inspector, but I think that twenty-five in that case might be too high a figure. I would draw a distinction between the number in attendance and the number who would pass.

554. You would not require the twenty-five to pass?—I would not.

555. Have you considered what would be the expense of adopting such a system of examination throughout the whole country, and how far it would infringe on the fund available for distribution amongst schools?—It seemed to us from the Act itself that the Inspector would be appointed by the Lord Lieutenant, and we did not think the examination would entail any further cost.

556. The experience of the Intermediate Education Board would seem to show that such a system of examination is exceedingly costly?—But I should think examination is a part of the inspection.

557. It would not be then a competitive examination, but a qualifying examination?—A qualifying examination.

558. I am afraid it would be found that the expense of the inspectors who would conduct the examinations in all the schools claiming a share in the endowment would swallow up a very large proportion of the whole fund?—I should hope that the inspection would be paid for by the State.

559. You would not like to accept the examination of the Intermediate Board in connexion with this fund?—No; I would not.

560. Then do you say that you would subject the schools to a twofold system of examinations, one conducted with respect to the administration, for the purpose of this fund, and the other conducted for the purpose of the administration of the fund of the Intermediate Board; these two examinations following different lines would place the schools in a position of very great difficulty?—Well, the scheme could provide against that, I think.

561. Lord Justice Fitzgerald.—Would you be intended to allow the title of a school to share the results to depend upon an inspection and examination directed to ascertaining that the school was properly equipped with a proper number of masters for the number of pupils, and that the pupils appeared to be regular in attendance upon a sufficient course of instruction?—I should like in addition that the Inspector should test the proficiency in the school and report upon it.

562. Do you think that if such a test as I suggest was applied, which would be to some extent a rough one, the permanence of each school and its prosperity might be left fairly to the operation of natural laws, so that if it was not a good school it would go down?—On the first point I quite agree that it would be adequate, if the Inspector made himself thoroughly acquainted with the school-work, and reported that the school was carried on efficiently, and then if the school was not conducted efficiently it must go down.

563. It would go down by itself, and no Inspector would keep it up?—Yes.

564. Rev. Dr. Maccar.—Should you be content with a system under which the fund would be allocated in proportion to the numbers in the school, provided the Inspector reported that the school had a sufficient staff?

565. Lord Justice Fitzgerald.—And that the class of education was of the character required?—I should be quite content with that, but this is a very small sum, and when it is distributed in that way all over the country it would be hardly worth while to inspect the schools.

566. But you have limited it to schools of a certain size?—Granted that the limitation was made, it seems to me that it would be decided too widely.

567. Would you restrict the extent of the division by fixing the minimum below which you would not go?—Yes.

568. But in reference to the necessity of examination, what I fear is that if you require the examination to be conducted by inspectors, then in the first instance you increase the expense of administration very much, and diminish the fund, and you work two

systems of examination in the country in collision with one another?—But the examination should be in my opinion simply for the purpose of testing the school, and not each pupil.

569. Professor Douglass.—You mean the general efficiency of the school rather than the individual progress of the pupils?—Yes.

570. Mr. Stans.—I suppose you mean such a system as that of the National schools, and not such a system as is now required for masters?—Precisely.

571. Mr. Orr, q.c.—You are aware that this is a very small fund?—Yes.

572. According to your scheme you consider that it should be confined to Ulster?—Yes.

573. Do I understand you to say that a certain number of schools which had certain qualifications should get a certain proportion?—I would give it to every school which had a sufficient number in attendance, and which satisfied the Inspector.

574. Then even in Ulster that would be a very small sum for each school, for presumably all the schools in Ulster would qualify?—Yes.

575. And if this is carried out for the whole of Ireland the amounts distributed would be infinitesimal?—Yes; they would be small.

576. Then I suppose you have considered this scheme not so much for the good of the country, but for the good of your denomination?—We are bound to consider how it would affect the education of our own people.

577. You considered it in the way most favourable for your own body, not necessarily for the whole country?—Yes.

578. In the first place are you aware that any of these schemes would necessitate the discontinuance of the existing masters?—I suppose they would.

579. Are you aware further that under the Act of Parliament compensation must be made to any of the masters discontinued; take the case of Armagh now, that of Dr. Morgan, who is a young man. Your scheme would abolish him, I mean would necessitate giving him compensation?—I have not mentioned Armagh.

580. Who is the head master of Dungannon?—Dr. Knapwood.

581. You did not take into account the loss that would be occasioned to the fund by discontinuing any of the existing masters?—I do not take account of the loss by compensation.

582. Mr. Orr, q.c.—But if you destroy our scheme, and adopt the Presbyterian scheme you abolish them all.

Lord Justice Fitzgerald.—He proposes that Dungannon school should be carried on, but under Presbyterian management. Of course in that case there would be the danger of the question of compensation occurring; but as regards Armagh school that would still be carried on on Church principles, and Dr. Morgan would not be disturbed.

583. Mr. Orr, q.c. (to witness).—The Lord Justice has asked you as to the modes of Irish pupils. Are you aware that there is an exodus to Scotch schools amongst Presbyterians?—Yes; to some extent.

584. At all events that the schools for Presbyterians cannot satisfy the want at home?—There will always be found boys whose fathers will send them away.

585. You are aware that the Royal schools in the past have always aimed at keeping up a class of schools like English schools, and better-class schools?—Yes; I am aware of that.

586. And your scheme would abolish these?—Yes.

587. And you propose no alternative for that?—No.

588. You are aware that our scheme endangers, at all events, to supply such schools in Ireland, four in number, with the hope of keeping these boys at home?

589. Professor Douglass.—Under your scheme Dungannon school would be a Presbyterian Royal school, the only difference being that the management should be vested in an education board representing

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the Presbyterian Church rather than in the Clare-street Commissioners'—Yes.

590. Mr. Orr, Q.C.—As I understand Dr. Martin his theory is this, that the whole of the Presbyterian endowment should not be concentrated in Dungannon; that is what the Presbyterians wish if they had their own way; that is the view they would adopt?—Yes.

591. Presumably then it would be transferring this fund from this superior class of school to the class of school in Newtownards?—It does not follow necessarily that Dungannon would cease to exist.

592. Would not it cease to exist as a higher class school?—I do not know.

593. How would you guarantee its being kept up as Mr. Shaw told us that you would guarantee it should be a success; how is that proposed to be done?—We would use every effort to make it a success.

594. But that is not a guarantee?—There could not be a guarantee in a case of that kind.

595. Mr. Shaw.—I was not speaking legally when I used the word guarantee.

596. Mr. Orr, Q.C. (to witness).—As regards Newtownards you said that that class of school would require a supplementary grant, simply because they cannot at present compete on equal terms with schools in other places, and that they are weighed down?—My point was this, that the school at Newtownards does not get as large a sum out of the Intermediate Board results as it would do with the same number of pupils elsewhere.

597. Then you propose that this sum should be brought in in aid of the Intermediate education system?—My proposal involves more than that.

598. Does it not involve that?—It involves increasing the efficiency of schools of that class, and it involves giving a stimulus to the extension of education in districts where it is not at present sufficiently extended.

599. That is to say in such schools as Newtownards, which, as you have already stated, are at a disadvantage compared with others in the Intermediate system, and your idea is to subsidize them to compete more successfully in the Intermediate examinations—that is practically what it comes to?

600. Professor DOUGHERTY.—I understood you to say that the operation of the Intermediate Act had been prejudicial to a class of schools that you thought it desirable to maintain, and that you propose to aid by means of this fund?—Yes.

601. Mr. Orr, Q.C.—That is what I say—to subsidize these schools for Intermediate education?—No, but to undo the mischief done by the Intermediate Education scheme.

602. Has the Intermediate Education scheme done mischief?—Taking it as a whole I think not.

603. Mr. Shaw.—You mean mischief done to that particular class of school that you have referred to?—I would not put it so strongly as that, but it has not given an opportunity to such a school to provide and maintain an adequate teaching staff.

604. Mr. Orr, Q.C.—Then your plan, if carried out, would be that there would be no distinctive schools in Ireland—they would be all of the same class that cultivate this Intermediate business?—No, there would be no need for these schools to disappear. I should hope it would rather strengthen them.

605. But, subject to that hope being realized, what I have said is correct?—Yes.

606. Then, as regards that section of the population, if your plan of subsidizing schools were adopted, there would be no special endowment left for them at all?—They would get largely from the Intermediate Education Board.

607. But they do not go in for it—your scheme would leave them out in the cold altogether?—You must make provision for that.

608. We have done that by the scheme we have put forward.

609. Lord Justice FRYGESSON.—Have you examined any of the instances in which schools with a very small endowment have nevertheless become most successful schools?—Yes, my lord.

610. Are you aware that in Colombia they have only £100 a year of an allowance, and an additional £100 for the life of the present master?—I thought there was an addition to that—a considerable addition in prizes and exhibitions.

611. They do not return it to us. I find again, in the case of our most successful Dublin school, the High School under Erasmus Smith's Board, in Harcourt-street, that, according to the return, the school seems to have been started at first as a charge on the estates, but that since then the governors have made it bear all its expenses except rent and repairs of buildings. Do you consider that with a small amount of endowment providing for initial expenses, a school could succeed in becoming a really successful school with a small endowment?—Yes, my lord, that is the view taken by our Committee.

612. Mr. Shaw.—Is your objection to the Intermediate Education Board to the system of payment by results—that my disadvantage that you attribute to the working of the board is due to the results system—your objection is not to the course of education?—It is not to the course of education.

613. It is simply to the system of payment by results and you do not intend to apply this system to the endowment at all?—Payment by results, as I think I explained to Dr. Malloy, is not what we contemplate, in the sense in which that phrase is used by the Intermediate Board or the National Board, that is to say, we would pay by results for good teaching or adequate teaching in schools, but we would not pay by results on individual students in particular studies.

614. You would make grants in aid to any schools reported by the Inspector to be doing efficient school work?—Yes.

615. Is it your opinion that the exodus of Irish boys is due, to any extent, to the efficiency or inefficiency of schools, or otherwise?—I think it is largely due to a social feeling. I think it arises largely from a desire to send boys to schools where they form associations which may in after-life be useful for them.

616. Professor DOUGHERTY.—Have you had any experience of Presbyterians being sent to those schools?—No.

617. Lord Justice FRYGESSON.—Do you know whether any considerable proportion of the sons of commercial people in Belfast go to schools in Germany?—Not a very large number.

618. But there are schools in England to which a great many go—Rusell and others?—Yes, Clifton and others.

619. Do you consider that any school we can reasonably hope to establish in Ireland would keep in this country any considerable proportion of the boys who go to schools of that class?—Well, it might, but I do not know that it would keep a very large proportion.

620. Mr. Orr, Q.C.—Do you think that the share of the endowment should be fixed for ever?—I think it should be definitely distributed once for all.

621. And then you would take in all those other denominations—Methodists, Baptists, and what you call "all others" who were entitled to share in it?—Yes.

Reverend Professor Leitch sworn, and examined by Mr. Shaw.

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622. You are a professor of the Assembly's College in Belfast?—Yes.

623. You heard Dr. Martin's evidence here?—Yes.

624. I suppose you, in the main, agree with him?—I do.

625. You have considerable experience in the education of the Royal schools—you were there yourself?—Yes.

626. Lord Justice FERGUSON.—What school were you at?—At Enniskillen School for nearly five years, and at the time Dr. Graham resigned I went to Dungannon School for half a year. It so happened that I had experience of three of the present head masters, for Dr. Weir was second master when I was at Portora. He was second master under Dr. Graham, and he was second master under Dr. Steele.

627. The Lord CHANCELLOR.—That was at Portora, and you were under Dr. Ringwood at Dungannon?—Yes.

628. Mr. SHAW.—Were the schools doing efficient work?—I believe they were doing very efficient work. They were fairly well attended, particularly after Dr. Steele came to Portora. I went back to Portora after I was half a year at Dungannon.

629. The Lord CHANCELLOR.—Was it Dr. Steele who succeeded Dr. Graham?—Yes, my lord.

630. Mr. SHAW.—Did you form any opinion as to the educational power and efficiency of these gentlemen?—I thought on Monday last that some of the statements then made here hardly on these head masters as to the failure of the schools, such failure being charged on the head masters. In my opinion, and I think it is the opinion of every one who has known them, Dr. Steele, Dr. Ringwood, and Dr. Weir, were most efficient masters. I should say that for successful masters of boys I do not know anyone more efficient than Dr. Ringwood and Dr. Weir, so that I would not lay the blame of the failure of the schools on the inefficiency of the head masters.

631. Mr. SHAW.—Have you formed any opinion from your own knowledge of the schools and their history as to what the real cause of the decadence of the schools is?—I should say that there was a variety of causes. They were drawing their boys chiefly from one denomination, and there were changes in the discipline of the Irish Church and other changes, to which I think the managers of the schools did not accommodate them; and perhaps I should also say that the schools were being continually examined and reported upon, and their faults presented in the reports and held up continually to criticism and no action taken to remedy those faults.

632. Lord Justice FERGUSON.—You are aware that there has been a Commission almost every quarter of a century since the schools were founded?—Yes; I think they were in continual fear of changes and of extinction.

633. And when you left Enniskillen first to go to Dungannon how many boys were there—when Dr. Graham was head master?—I should say between thirty and forty boarders, and perhaps forty or fifty day scholars.

634. At the time Dr. Graham left?—I was there from 1855 till Dr. Graham left it, and I should think it increased afterwards, but I should say that there were about thirty boarders and perhaps an equal number or something more of day scholars.

635. Mr. SHAW.—At the time you were at Dungannon what were the numbers?—Well, I could not say definitely the numbers, but it was a large and flourishing school, and most admirably conducted.

636. What would be the probabilities of a good school being established at Dungannon under Presbyterian auspices?—Well, if we had a really high class school I think it would be a successful school.

637. Would it be necessary, in your opinion, to the success of that school that there should be a very large endowment, say £1,000 a year, or anything like £1,000 a year, attached to the school?—Oh, no; I should think not, certainly.

638. You think a fairly successful school might be maintained in Dungannon with a much smaller endowment than that?—I do.

639. Is your opinion in accordance with that of Dr. Martin, that if you had £1,000 or £1,500 a year to spend on education, you could spend it with more advantage for Presbyterian education and for the good of the country than by concentrating it all on one school?—I do, but I say that we should have liberty to decide what amount we should spend on Dungannon School and what on smaller schools, and should not be tied down to spend a certain amount on one and a certain amount on the others.

640. You think that the Presbyterian body managing this fund should have a discretion as to its application?—Yes.

641. And in all other respects you agree with the evidence given by Dr. Martin?—Yes.

642. Mr. GY, Q.—How much do you think you would have to allocate to Dungannon out of the fund to keep it up to a high class?—That would depend very largely on the question of the master. If the school were vacant we should have to provide a large sum to attract a good man.

643. Lord Justice FERGUSON.—Assuming the good man to be attended and to attract pupils, his salary would be, of course, assisted by fees?—Yes, and the success of the school would depend largely on the fees.

644. Dr. TRAVERS.—Dr. Martin said he thought the fees in Dungannon in that case should be smaller than usual at boarding schools, for the purpose of assisting ministers' sons?—I think that the amount that would be given from local endowments, and that the fees that would be paid to the head master, and the sum voluntarily contributed from the Presbyterian Church, would lessen the expense.

645. Lord Justice FERGUSON.—Dr. Martin said it might form a nucleus of educational endowments.

646. Dr. TRAVERS.—Would it not also require a considerable expenditure on assistant masters?—If the school were so successful as to require assistant masters, the money supplied by the fees in a large boarding school would then be available for assistant masters.

647. Is not it generally recognised that one of the causes of the failure of schools that have not got an endowment is the difficulty of providing proper remuneration for assistant masters?—I should think that is the most usual cause.

648. Then, if you take the fees of the head master when the school increases and spend them, as you must do to be successful, on the assistant master, you reduce the income of the head master?—He would have to run the risk, but I think an efficient assistant master would draw to the school so many pupils that it would pay itself.

The Recorder.—I do not know whether it would be competent for the Committee of the Synod to offer any further evidence, but with your permission we would beg leave to send in a statement in writing embodying the views they entertain, to be treated by the Commission as they think proper.

Lord Justice FERGUSON.—We are to sit again on Friday, to hear the Roman Catholic head masters on this matter, and if a statement is to be sent in, and it is a very convenient way to have it, it is better to have it handed in by a witness. We have had some very important evidence to-day of a very specific nature from the Presbyterian representatives. We are a

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public body, and we are bound to hold all our inquiries in public, and any proposal you send us should be subject to exactly the same examination as that sent in by the Presbyterians, and, therefore,

it will be the most convenient way if any member of your committee will attend and hand it in as part of his statement.

Earl Selwicks re-examined.

Earl Selwicks.

549. The Lord CHANCELLOR.—I understand you wish to lay before us some further evidence?—Yes. There are three heads upon which I was not able to give full evidence upon the last day, and perhaps you will allow me to take them in the order I mention. The first one came upon me by surprise, because I did not know that the Commission intended to go into the matter of the management of the estates. I think it was in connection with the question of the new governing body, and we had not the records here, and, therefore, I could not answer Lord Justice FitzGibbon's question. The main question was—did I think, from my own experience of managing property, which extends now over I may say thirty years, that any alteration in the mode of management could reduce what appeared to the Lord Justice to be the heavy percentage. With regard to a fair percentage for outgoings it is impossible to give an answer. Taking a very favourable case, one of my own estates, where there are no head rents, the outgoings, including those subscriptions which are called voluntary, but are practically compulsory, were not less than 50 per cent. before the late reductions, and the Lord Justice while it reduces income does not reduce proportionately outgoings, you may take that as the minimum which may be increased according as there are headrents or higher poor rates. For instance, in Ouzagh Union, the landlord's proportion of the poor rate was only five pence in the pound last year, but in the county Clare the poor rate was five shillings in the pound, and therefore the landlord's proportion would be two and six pence in the pound, one-eighth of the rental for that one item alone, whereas in Ouzagh it would be less than one-twentieth. In the Armagh school account the first items are legal deductions, income tax and poor rates, and a half year's rentcharge to the Irish Land Commissioners. It will expire, of course, in fifty-two years from 1869. The next items are county cess, £17 10s., and landlord's salary put down at £21; I mark that as an item on which possibly there might be some reduction, because, taking the rental £1,948, it is a good deal higher rate than I pay on my own estates. If a new landlord was being appointed I suppose he could be got at 5s. a week. Then we have expenses in connection with the fixing of judicial rents, and an auctioneer's fee for partitioning grass in our own possession, and, of course, if we sell the meadow we pay the auctioneer. There is then an item which I have marked as one which may be struck off altogether if you like, providing coals for the Mullingslane National Schools.

550. Lord Justice FITZGIBBON.—That is a school which was a tenantry school, and afterwards passed under the National Board?—Yes; but still it would be a tenantry school. Mr. McDowell tells me it has been the custom of the board to supply schools with coals. On my own estate all I can say is that I do not supply schools with coal. Then there are two or three items which come to a considerable amount—costs in connection with Land Court cases, £55 2s. 6d. As long as there are unfixed rents there may occur again when the rents are ascertained. There are three things which I at first marked to take out, but I pass them by, because although they were temporary I do not know that they were avoidable. One is a charge of £7 6s. 6d., repaying a sluice on the Brown Bog. I suppose that was something we had in our own hands, and had to do; and then there is a contributory charge for drainage work, a temporary item to which any landlord would more or less be liable. That is all in connection with Armagh, and I have pointed

out only two items, which a saving of expense might have been effected. The next is the King's county estate, Banagher. The same agent is agent for the King's county, the Queen's county, and the Tipperary estate, and we call them the Southern Estates. I have not marked anything in that account as possibly being within our control. Now, I take Chrysoth. It is a primary school. There is the agency, receipt stamps, postage, poor rate, and lime allowances. Mr. McDowell tells me that the Board had always made lime allowances. That is an old custom which tenants might expect, and for all I know to the contrary, they might consider it as part of the bargain with them. The lime allowances are £20 10s. 7d., which no doubt is a considerable item.

551. Dr. TRAILL.—What is the total rental?—£118 is the total rental, but this includes arrears of last account.

Mr. Fleming.—The rent is £182.

552. Lord Justice FITZGIBBON.—Mr. Murphy in his report of 1879 says—

"The tenants hold their farms very much under the rent which they might fairly be asked to pay, and they reside in the shape of fine an abatement of nineteen per cent of the rent each year. There is no tithery proper on the estate, but the tenants supply themselves with fuel by cutting away the surface of the mountains, which has already too little vegetable surface, and will soon be entirely denuded. The bailiff of the estate lives some four miles away. He appears to be a very respectable man, and much respected by the tenants; I supposed chiefly because he acts on the principle that bailiff's visits should be somewhat frequent visits, far more unquestionably his visits must have been few and far between, or of the most unbecoming character, as he does not appear to me to know the feelings of any of the tenants, and in fact little or nothing about the estate."

—I do not know who the bailiff is now. He appears as John Fraser, £4.

553. Lord Justice FITZGIBBON.—Mr. Murphy says, "his salary is only £4 a year, which does not offer much inducement for a more active performance of his duties. The tenants appear thankful for the leniency with which they have been treated, and they pay their rent regularly."—The other outgoings are poor rates, income tax, and allowance to a tenant for roofing mastocals. I will take Dungannon next.

554. The Lord CHANCELLOR.—Who is the agent over Dungannon?—Mr. Moore. I do not think it is material where the agent lives, so long as he can get to his work and back in the day. There are roof-rent fees, poor rates, cess, stamps, and stationery. Then there is quarter's salary to James Hanna, the schoolmaster, and his wife. We pay to the tenantry school, and the quarter's salary for the two is £7 10s. Then there are small sums for repairs about Killy Island School, and a rather large item of county cess, £8 4s. 0d., some head rent, and the bailiff appears to get £30. Then £30 for a survey map, I presume in connection with the Land Court. A maintenance rate in connection with the drainage, £16 18s. 3d., the rentcharge for a year and a half, £97 12s. 9d., and then a charge for costs, £80 4s. 6d.; and then there is an item which swells the account only apparently, because it is written off on the other side—a half year's rent paid I suppose by mistake.

555. Lord Justice FITZGIBBON.—Mr. Murphy, taking the year 1878, adds up all these various outgoings, beginning with "aristocratic drainage rate, now about to terminate, £127 3s. 9d.; my £500, having a net income of £1,252 3s. 9d. The drainage charge will, I understand, have all been paid off in another season or so, when the outgoings will be proper

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tionately decreased." Now, the paper that Mr. McDowell has given us shows that in 1881 the outgoings were £347; £337 in 1882, £358 in 1883, £445 in 1884, and £507 in 1885. So that they have risen £10 in four years successively, and they are now £57 more than they were when the £157 that has now expired was added to them—I presume that the reason of that was the expense of the Land Act in fixing rents.

556. Dr. TRAILL.—There is an increase of £109 in the first year, £209 in the second year, and £309 in the third. That makes £600 in three years!—We appear to have had one item of £80 costs alone in one year. You can have the figures taken out in detail in the office if you wish. The Cavan estate is one of three estates which Mr. Benson manages. The first item is agents' fees, cess, poor rates, and income tax. And there is an entry of arrears cancelled by board, £12 11s. 8d. There was I suppose bad debts compensated by getting up possession from the tenants, on cancelling the arrears. The total rental appears here to have been £564, out of which we received in cash apparently £593, and the agent got or returned as due £124, so that practically we received that year or the beginning of next year £634, which is considerably more than the total year's rent, and therefore the arrears were no doubt reduced. And then there come the usual charges, sith-rentcharge, bailiff's salary, &c. &c. That is not very large. And a number of small items, amounting altogether to £14 5s. 6d. for drainage and allowances made to tenants for improvements, with some expenses added to them. All petty items, amounting altogether to £14 5s. 6d., with an additional sum of 5s. paid to somebody for measuring. Then there are miscellaneous charges. There are some expenses of his own for attending court, car hire, attending Cavan petty sessions, obtaining decrees for possession.

557. Dr. TRAILL.—How much?—Ten shillings on one day, and ten shillings on another day. The first was obtaining decrees for possession, and the second was on reduction of rent before the County Court Judge.

558. Dr. TRAILL.—Does the agent charge agents' fees or solicitor's fees?—He only charges fees out of pocket. He drives his own carriage or phaeton to Enniskillen, but I imagine Cavan was too far.

559. Dr. TRAILL.—But he is bound to appear before the Land Court under any circumstances. Does he also charge solicitor's fees for appearing as agent?

Mr. Fleming.—I should say not.

Witness.—The only items I have marked that I think I might have disallowed—of course they were entered, both of them, by the board, I presume—are those for improvements?

600. The Lord CHANCELLOR.—You think none of the others could have been disallowed?—I do not think so.

601. Lord Justice FRYGROVE.—I want to call your attention to Mr. Murphy's report on the Cavan Estate, in which he says, "The average average of each tenancy is 14s. 6d. 24s. statute measure; the average rent of each tenement £8 10s. 6d.; average variable rent, 12s. 1d. The rent in, including the buildings, 5 per cent. over the poor law valuation; including the buildings it is 10 per cent. under the valuation. This estate as well as the Enniskillen School Estate has deeply suffered for want of more active and intelligent supervision; but under the regime of the present agent, if supported, I have no doubt, things will very soon assume a brighter aspect." He gives the outgoings of the estate taken on the average expenditure annually for the five years previous to 1879, and he brings out the amount as £262 14s. 8d. "In 1879 the outgoings amounted to £102 5s. 7d., and a sum of £58 10s. was distributed in sums to the tenants; this latter sum is to be refunded." Bearing that in mind, and looking to your account, the way it stands is this—1881, £147; 1882, £120; 1883, £278; 1884, £124; 1885, £165,

making altogether £836 19s., according to my calculation £143 a year, which is nearly double the average of the five years previous to 1879. Now what is the course by which the board checks such a large percentage increase as that?—Well, I was not on the board in the earlier years, and neither was the secretary. I am afraid you must ask Mr. Graves for an answer to that question, for I do not think, as far as I know, that we compared one series of five years with another series of five years.

602. Do you when passing one account compare the expenses of the year with those of the year before, or how is the increase looked to?—I know, of course, how I should do with my own accounts; I should look at them myself, and see whether the things are necessary or not; but in the case of estate expenditure such as drainage, that the board authorizes, we may have one set of men on one day, and another set of men on another. There is no doubt that there is not that comparison made by the board that I should make in the case of my own estates: and I am not prepared to explain why the outgoings are so much higher now than in former days. However, this is Mr. Benson's account. The total amount is £947, which he charges himself with, and which includes £177 for arrears from last year. We appear to have received in cash £593, and he owed us £124 11s. 7½d., which he probably retained in hands for payment of immediate charges which really made it £834.

603. The Lord CHANCELLOR.—That will do for Cavan. Now as regards Enniskillen. I see the total outgoings in 1881 were £596 7s. 6d., and last year £494 4s. 2½d.—After the usual receiver's fees, poor rate, county cess, and income tax, the agent lodged to our credit, £1,800, and a balance of £104 15s. 8d. out of a rental of £2,151, that is over 60 per cent. of the rental.

604. Lord Justice FRYGROVE.—Mr. Murphy, reports—"There does not seem to have been any increase either in Cavan or Enniskillen upon the title rent, poor rate, or income tax, that was returned for the five years before 1879, until last year, when there is a large increase of poor rate to £145. The bog bailiff gets £2, and the estate bailiff gets £18 3s. 2d., and considering that there are considerably over 300 tenants, I do not know that that is too much. Then there are some retail works which, I suppose, were ordered by the board."

605. The Lord CHANCELLOR.—I see that miscellaneous and low costs are last year £63 9s. 2½d.—There are some small items connected with it, his own expenses accompanying the valuator and attending Enniskillen had remained when the rent was reduced eleven per cent. £1 5s.; and amounts paid for survey apparently in the same case, £1 8s. 8d.

606. Do you think those were all legitimate charges?—I think so. Of course some agents might not charge for accompanying the valuator on the lands. I do not think my agent charges me for doing it.

607. Lord Justice FRYGROVE.—It is in the miscellaneous payments that the great increase seems to have occurred. Your total for the five years from 1881 to 1885 is £2,448 1s.—Yes.

Lord Justice FRYGROVE.—That would be in round numbers £480 a year, and the average expense of management for the five years previous to 1879 was £384; £226, or nearly one-half less; and the income is almost altogether in the miscellaneous payments.

608. The Lord CHANCELLOR.—Now as to Raphoe?—Witness.—The Raphoe estate was managed by an agent resident in the county Donegal up to 1883. At that time the Board found that there were considerably over three years' arrears of rent, and that the agent had neglected to take steps to recover the amount. The tenants would not pay on ordinary processes, and the Board ordered the agent to bring writs of execution; he would not do it, and we asked him why, and he said that he did not think it advisable, and he was

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summoned before the Board, and whether he tendered his resignation or not, at any rate, he went. Then they requested Mr. Beaton, who was working the other estate, to take charge of the Raphoe estate, and he consented, though very unwillingly, to do so, because it was a very difficult estate indeed, and the remuneration is looked upon as small. He set to work and the tenants paid considerably over a year's rent in cash. The following year he represented to the Board that the Raphoe estate was in very bad circumstances as far as repairs houses, and that if we would authorize him to make an expenditure of about £100 upon the estate it would greatly facilitate, besides helping the tenants, the getting in of the arrears. The result was that we spent in that year £91 on improvements.

669. The Lord Chancellor.—What is the arrear now?—The arrear now is £401 4s., while it was £1,700 odd.

670. Mr. Orr, Q.C.—Did the tenants take advantage of the Arrears Act?—I am not sure up to what date the arrears were cancelled. They were probably cancelled up to a gale past.

671. Lord Justice FRYGEMAN.—Raphoe would appear to have come very near the average last year. In 1881 year receipts were £170; in 1882, 208; in 1883, £1,021; in 1884, £389; and in 1885, £425. Going back to the previous period dealt with in Mr. Murphy's report, the income was £374 8s. for 1878. But the item that is remarkable in Raphoe is that for £424 5s. 5d. you paid £90 15s. to the agent, whereas the year you received £1,021 the agent only got £30 15s. 6d. We received last year £707 out of a rental of £503.

672. The account Mr. McDowell has handed in only shows £435.—We received £300 in cash more than the whole amount of the rent. We paid back £91 to the tenant in the shape of compensation for improvements. Now there are tithe-remcharges two items of £10 15s. 11d., and head-rent £10 6s. 3d. income tax £13 6s. 3d., bailiff's salary £16. I have marked it as something that might be reduced, but considering that there are 150 tenants, I think it is not out of the way. And then there is a big bailiff at £4, and the salary of the schoolmaster £30; and we have expended some money to put that school in proper repair, and we pay the county one on the mountain, schoolhouse, and plantation. Then there are repairs to the schoolhouse £45 10s. I suppose that was unavoidable. And then there is some extra work on the same coming to £4 7s. 6d. altogether. And then there is something paid for keeping the mountain road in repair, £3 in August and £3 in January. Then there is a valuator for valuing farms and attending court, at 12s. 8d. a term, making £9 7s. 6d. That is a temporary item. Then are allowances to the agent by order of the Board for travelling and hotel expenses. I admit that you possibly might dispute that, £4 4s. 6d. on one occasion and £9 16s. 3d. on another. But when you consider that the agent was a long way off, and was specially appointed by us as being specially qualified, you can hardly expect him to pay the very considerable portion of expenses incurred in that way.

673. The Lord Chancellor.—According to your view what is there that could be saved?—I think the only thing that could be saved is the £91 5s. 3d. on improvements, and of course if we had no more special business connected with the Land Office those items connected with them could be saved. There might be something saved, and counting that £91, there might be £100 a year saved all round. That exhausts the Royal School estates. The next matter upon which you asked me some questions was with regard to how I made out my estimate that if you sold all the estates and invested them in trust securities, you might expect to obtain £4,000 a year or upwards. I have gone over the figures again from the last rental carefully, with Mr. McDowell, yesterday, and the way I arrive at it is this. I have taken the gross rentals £3,415 5s. 9d., exclusive of Carrifort. Then I allow for deductions, tithe remcharge, head rent, and drainage rate,

total, £285 18s. 4d., which deducted from the gross rental leaves £3,128 7s. 5d. I have then made any deduction for expenses of sale, and capitalizing that at twenty years' purchase makes £122,667 8s. 4d., and that would clear at 3½ per cent. In one of the great English railways £3,163 acres old shillings.

674. That depends on getting twenty years' purchase on the rental without taking into account poor rate or income tax?—Yes, it is a very low let estate. It might not fetch quite so much, but I have a little experience in Tyrone and Fermanagh, and I have got higher rates of purchase than that even after making that allowance.

675. Rev. Dr. MOLLOY.—Lastly?—Some of them are going on now.

676. Lord Justice FRYGEMAN.—On the other hand you take your money at 3½ per cent., and we know that money can very fairly be yet be invested at 4 per cent?—I cannot get 4 per cent. for it.

677. If the twenty years' purchase is regarded as a little too big, is not the 3½ per cent. a little too small?—I should say if things settle down that twenty years' purchase, which was the old rate before the depression, could be easily got.

678. Lord Justice FRYGEMAN.—I have added up in Mr. Murphy's report the then rental of those estates and I find that whereas you now return a rental of £3,415, the rental in 1880 was £2,663 12s. 5d.; so that it would appear that the judicial rents have been very much nearer the previous rents than the average?—Yes, and the fact is that on the Enniskillen estate and the Raphoe estate, there are very few judicial rents. They were so very low that the tenants did not think it worth while to go into court.

679. Rev. Dr. MOLLOY.—Then you have to take into account the head masters?—Mr. McDowell made an estimate for us that if you were going to retire the head masters and buy manures for them, or commute and compound us in the church case, £1,000 odd would about meet the demand they were entitled to.

680. Then we have to deduct about £400 which would go according to your scheme to the four discontinued schools?—Yes, we thought after making that calculation that there would, roughly speaking, be from £900 to £1,000 a year for each of four schools, assuming that you gave each school the same divided. That I think exhausts these two points. Now I come to the point raised by the examination, by Dr. Molloy, of myself and Mr. McDowell. Before I go into that, perhaps, you will allow me to correct one or two errors. One was in the newspaper report that I said I started in life as an advocate of undenominational education. What I said was the reverse. It was that I accepted the National Board system, because I could not help it, but that I preferred the other system. The other was an error of my own, that I had taken a leading part in sketching our scheme. I had in fact made out a private memorandum which I laid before my colleagues, and in that memorandum I suggested that there should be three main schools, and I also made a sort of sub-suggestion, if I might use the expression, which was not entertained, that possibly one or two of the existing schools might be given to the Wesleyan body. I think I made an error in answering Dr. Molloy on the point whether the scheme did not imply that each denomination was to have an equal sum. On reconsideration I do go upon the calculation that each was to have an equal sum. I mean that a school of the same character would imply the same sort of expenditure, and that the Roman Catholic body would not be satisfied to be left only a third of the endowment. The first point I mention is why we went in a scheme instead of heads of a scheme, that was because you requested us to do so. If we had not had that request we should have merely sent in the heads of a scheme.

681. Lord Justice FRYGEMAN.—The reason of the request was that the Act of Parliament requires us to send forward schemes when presented by governing

bodies, and the advantage would not be obtained unless the scheme sent in was complete.

Witness.—Does it say so in terms?

682. *Lord Justice Fitzgerald*.—Not in terms.

Witness.—But we understood that if we sent in the heads of a scheme that was all that we were required to do. But when you requested us to send in a formal scheme in the shape of a draft Act, of course we did so. I suppose some of us expected—I certainly did not expect—that as it would be full of contentious matter, it was likely to pass through unaltered after we had fired upon the house. The scheme was drafted with the assistance, I believe, of one of our legal members. Dr. Molloy asked Mr. McDowell what evidence we had that our proposition would be accepted by the denominational bodies. My answer to that is this, we had no direct evidence, and I do not think we had any means of obtaining it. We might of course get some indirect evidence in various quarters, in the papers, or in speeches, or in articles specially written, in the *Freeman's Journal* particularly, on the very question; but I think if we had attempted to draw inferences from the indirect evidence, we should have found ourselves largely astray. And therefore we had to consider what was best for the country at large, leaving it to you to modify or accept our scheme.

683. *Rev. Dr. Monro*.—I meant rather to convey that in considering your scheme, it would be our duty to take into account the probability of the schools being successful which it is proposed to found, and what I wished to elicit from Mr. McDowell was whether you had any evidence to offer as to the probability of success of the schools in either of the two alternatives which are open under the scheme.

Witness.—My answer is that we had no direct evidence, and that we had no means of obtaining that evidence, and any inferences that we might have drawn from the indirect evidence might have been wrong. Speaking my own opinion the cardinal point in the scheme is the point whether there shall be a certain number of "ambitious" schools as Lord Justice Fitzgerald called them. That I look upon as the main and leading point in our scheme, and some other points which are very important might be modified more or less without departing from that principle. If that principle is given up, I think I may say that we must give up the scheme and form a new one. Why I am that opinion I may tell you in a few words. I was one of the original members of the Intermediate Board, my time corresponded almost exactly with Dr. Molloy's, and I admit quite as fully as he does that very great good has resulted from that system, but I hold the opinion that that system does not cover the whole ground. It is not necessary for me to go into details, but I think that a system which must necessarily start at earning money by results on particular boys, must more or less tend to handicap unfavourably the less clever boys, and there must be a tendency to push on those boys who are most likely to earn results. And that being the case, I think there is ground for a limited number of schools of a high class, where although I do not say that they are not to go in for results free at all, that should not be so much the main consideration. There should be in fact, schools like the Royal schools, where less attention is paid to preparing for this sort of examinations, and where the boys were trained for getting exhibitions, and going into the University and becoming scholars, and very possibly making other persons scholars in succeeding generations. And with all respect to the opinions of those who differ from me, I think that any denomination that does not adopt that plan is throwing away an opportunity which may not occur again. Then with regard to what I infer, at least I hope rightly, to be the real ground of Dr. Molloy's objection to the proposed constitution of our board, I understand him to object that a mixed board is not a proper board to interfere with questions of doctrine and discipline, while I to a very considerable extent concur

in that opinion. I do say that if a plan can be adopted, whereby without breaking up the scheme of a mixed board, the interference on those points would be confined to certain members of the board, possibly to a certain extent the objection might be removed. The Recorder made a suggestion which in detail I do not think would work. He suggested that there should be three denominational committees in connection with this board who should alone interfere with matters of internal economy in the schools; I think probably these committees would very often be working at cross purposes, and it occurred to me that if you thought well to make a modification, it would be possible to draw up a new scheme in which the proportion of appointments on the board would be defined, and that it should be divided into two divisions—one the Roman Catholic division, and the other the Protestant division, and that the Roman Catholic division alone should deal with questions of doctrine and discipline of their own schools, and that the Protestants whose differences in my view, are more of Church government than of doctrine, would deal with the questions affecting the Protestant schools, reserving to the full board authority on the questions that come before the Commissioners of Education. Our scheme has endeavoured to follow the lines of the old Act, and there should be a considerable legal strength, because we could not work well without a considerable number of persons of legal eminence on the board.

684. *Lord Justice Fitzgerald*.—The principle of your proposal is to give these Royal endowments to keep up a few schools of a high class exclusively?—Yes.

685. Apparently the members of the Church who have had the largest share of these up to the present, prefer to retain Armagh as a school of that character?

—Yes, and I think any persons of influence that I have spoken to on that subject are of opinion that we could not fairly claim more than one school.

686. Is it your opinion, and that of those whom you have been speaking to, that the share of these public endowments falling to the Church would be best spent on keeping up one first class school?—That is decidedly my opinion, speaking as to the Church of Ireland.

687. You heard the evidence to-day given by gentlemen representing the Presbyterians, that they would take Dungannon School, and if they were compelled to do it try and keep it up on parallel lines with the Church School in Armagh, but that they preferred very much that Dungannon should be only one of the schools to avail of the endowment, and that the money should be spread over the maintenance of a number of schools instead of concentrating it on one?—Yes.

688. Assuming that that is their position, do you see any inconsistency as between Church people and Presbyterians in leaving the mode in which the money should be spent to the denominational bodies managing the schools?—I admit the right of the Presbyterian body to their own opinion, and possibly it might be better than mine; but as regards the Church of Ireland, I certainly do not know of any denominational body that would satisfy me, or that I would prefer to our scheme.

689. Why do you prefer that the governing body of a first-rate Church school should be a mixed body?—I do not prefer it because it is a mixed body, but I prefer it for this reason—these endowments are State endowments, and I think where you have State endowments the proper way is to have State control; and that follows the Act of George the Third.

690. Is it your opinion that the advantages to Church people of having a school managed by a denominational body of their own would not be a sufficient counterbalance to the advantages of placing the different schools under State control?—No; and again, suppose that instead of selecting Armagh we were to select Enniskillen as a Church school, and to appoint a local committee to manage it as a Protestant school, I don't know that we have about Enniskillen materials for the

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formation of a committee that would inspire me with any confidence.

691. But if your Church school in Armagh is to be a school available for members of the Church all over Ireland, would you consider that the corresponding proposition to that which the Presbyterians made, namely, that the governing body should be elected by the General Synod would not be better than a mixed board?—No; and you forget the great elementary principle that there should be State control of State funds to the extent of seeing that there is no misapplication.

692. Dr. TRAILL.—You would not hold it that concession was to be made to the Presbyterians which they ask, namely, that the government of the institution assigned to them should be under a denominational board of their own making, that Churchmen should have their school under a mixed board?—I would not ask it; and taking it the other way, personally I would not ask that a similar concession should be made.

693. But if you gave the concession to Denham, you would not object to giving it to the Church?—I do not think it would be a concession. I do not see what it would gain by it. I would rather not do it. I only contemplate the same amount of limited interference that we have hitherto exercised with regard to schools. Suppose there was a case of alleged abuse in a school, such as occurred in the south of Ireland lately, where we had a visitation. I think our board or any board succeeding us would be a much better housed and a more independent body to deal with a matter of that sort than a local committee.

694. It is not a local committee which is suggested, but a committee appointed by the General Synod?—I do not see that there is any virtue in the fact of its being appointed by the General Synod.

695. Lord Justice Fitzgerald.—There remains also to be considered the mode in which the money could be made available for Roman Catholics, as we have not housed them yet. I won't ask you anything about that, but I should like to ask you what is the basis on which you would suggest the reimbursement of their fair share?

696. Rev. Dr. MOLLAY.—Before you go into that question, let me say that I do not think you quite understood me, Lord Belmore. It was not so much that I considered a central body an unfit body to manage the schools, as that in any scheme brought before us, we shall have to consider how far the schools on which it is proposed to expend the endowment are likely to be successful?—I quite admit with you that it would be utterly useless to form two schools that nobody would go to, for they would be in the position in which Bangor is now.

697. That would be the danger of founding two new schools, and there is another difficulty about taking over old schools unless they come you cannot take them over, and it appears to me very improbable that the managers of any existing schools in Munster or Leinster would accept the conditions of this scheme. You are between two alternatives either to found two new schools or take over existing ones?—We contemplated founding two new schools, no doubt, assuming that we could come to a modus vivendi with your body, because if we could not do that we had better not found them; but I do not think we ever suggested that we should take over any existing schools.

Rev. Dr. MOLLAY.—Mr. McDowell stated that both alternatives were contemplated.

Mr. Orr, Q.O.—He said that the scheme was drawn wide enough to permit that.

Witness.—On the last occasion when the scheme was finally settled, I was unfortunately detained in England, and therefore certain matters may have taken place that I was not conversant with, but I do not remember when I was at the board discussing the question of taking over existing schools as an alternative.

698. Rev. Dr. MOLLAY.—Then you would have a great difficulty in supporting two new schools which would start under the disadvantage of having existing schools as rivals and opponents?—I do not know why they should be necessarily rivals and opponents.

699. Because the new schools could not live with-

out drawing away students from the existing schools?

Witness.—I do not admit that at all, as I hope that by the establishment of these schools you would increase the number of students. I do not know as to your body, but I do not think the existing schools of my own denomination would be much affected. Many persons put forward the idea, that if you had these schools that I contemplate on the pattern of the English schools, you might draw that class of boys from these schools. I did not at all contemplate setting up schools as rivals to existing schools, but to be supplementary to existing schools.

700. Rev. Dr. MOLLAY.—But the first batch of students they would get would be the students who would otherwise have gone to the existing schools?—Possibly.

701. Therefore they would be rivals competing with the existing schools?—I do not think that is so. That would apply almost to every new school, but as population increases, the difficulty would disappear.

702. What I fear is that the public fund would be expended in founding schools, which would not be a success?—You are a better judge as regards your own denomination than I am on that point, but I think for my own denomination that our scheme is the best that we could devise.

703. But with regard to your own denomination you do not propose to found new schools. You take over Armagh, and the Presbyterians take over Denham.

704. Lord Justice Fitzgerald.—What was your basis of division?—I did not go into the basis of population at all. I found that my colleagues were not disposed to consider the Wesleyan body as a separately, and therefore I went on the consideration that there were to be three schools, that would involve three endowments, and whether you have 1,000 more or 1,000 less population, the head master has the same position as gets the same sort of salary, and we started with the *prima facie* idea that the endowments should be equal, subject to this qualification, that if we found that one school was only half full, and another full or two-thirds full, we would subtract something from the school that was not full and give it to the schools that were. That was one point in the scheme at variance with the suggestion that was made on behalf of the Presbyterian body, that we should divide the fund into a certain number of parts.

705. Dr. TRAILL.—You would not allow ecclesiastical action as they prepared to do, to make an experiment within its own borders, and if they found Denham to fail as a high school to allow them to use the money as they thought best to meet the educational demands of their population?—No.

706. Lord Justice Fitzgerald.—Your scheme is that the money is to be given to the specific school?—Yes.

707. Dr. TRAILL.—If from temporary causes the school happened to go down, would not the loss of its money, be a misfortune sufficient to crush it altogether?—I think we ought not to be asked whether the schools are going to be a failure. There were more schools in the past, in one sense, than there was population for, and there were certain causes which prevented them from succeeding; but we hope to remedy that in the future. The practical reason for suggesting that the Roman Catholic schools should be in Munster and Leinster, were geographical. But I admit that that is a thing for the denomination to determine rather than for us, and I think one of the advantages of retaining one of the existing houses would be, that there would probably be some saving of money. I rather gathered from Dr. Mollay's examination the other day that he thought we were asking for some entirely new powers for this reconstituted board, and I have carefully examined the matter with Mr. McDowell and made a comparison between the Act and the scheme, and I think the powers turn upon the 19th and 21st sections of the scheme. The words of the preamble of the Act of George III. would show that the intention of the Act was to give very large powers to the

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Dr. Webb, &c.

Commissioners with regard to the regulation and control of the application of the funds and revenues of the schools, and under the old system which is now to be altered, the board claimed to have certain powers which were sometimes disputed, and they want to put it beyond dispute now what their powers have been, and also what regulations they are to be at liberty to make. The removal of the head master by the Commissioners is a matter which is imperative under the 14th section of the Act; so that you are bound to provide for the dismissal of the officers in the employment of the governing body whatever you do.

707. Rev. Dr. MONAGHAN.—In the employment?—It says, and the words are very important, "shall provide for the dismissal of every officer in the employment of the governing body."

708. But the schoolmaster might not be in their employment; your scheme contemplates the schoolmaster being in the employment of the Commissioners?—Yes; and this is one of the reasons why in our scheme there must be such a power. With regard to the appointment of the head master, we agreed to what on the whole, we thought would be probably the best plan. The old plan was that in the case of two of the schools the Lord Primate appointed absolutely, and in the other four schools the Lord Lieutenant appointed absolutely. But since the death of the Lord Primate (the Protestant Primate), the position of the new Primate will not be such legally as will enable him to appoint. And if Dr. Ringwood or Dr. Morgan were to do there is nobody to appoint till you provide by a scheme for the appointment. Then the assistant masters under the Act of George III. are appointed by the head master, and that is merely continuing the same power. It is merely transferring from the Lord Lieutenant to the Board the power of appointment. The removal of the head master assuming our scheme to pass, is compulsory, but is only to take place after a visitation. With regard to the fees, I did not draft this, and until yesterday I was under a misapprehension as to what the majority of my colleagues meant with respect to school fees. I understood that they mean all school charges, but I confess that I did not understand that the word "fee" applied to boards at all, but merely to those fees which are charged by the existing masters as day fees, as to which they claim to have a certain discretion, which I rather think the Board has disputed, and the effect of this would be to leave the master perfectly clear that the Board had a controlling voice. But, however, I have to admit that it would go further than I thought it would personally, and allow the Commissioners to vary the school charge made to the boarder, which I should have looked upon as a matter to be regulated by the private enterprise of the master. His object would be to get as many boys as he could, and if he fixed his fees too high he would not get the boys, and if he fixed them too low it would not pay.

709. Dr. TRAILL.—Did it not happen at Enniskillen that boys were got rid of by raising the fees?—I think it was because this scheme was hanging over their heads. Mr. McDowell here says it is not so.

Dr. TRAILL.—My information is to the contrary.

Dr. Webb, &c.—I appear for the representatives of the Methodist Church in Ireland. The Methodist College in Belfast was established in the year 1838, and on the buildings a sum of £35,000 was expended, which was raised entirely by voluntary subscriptions. Wesley College dated from 1846. It was then known as the Wesleyan Connexional School. Recently re-organized it is now known as the Wesley College; and was established at an expense of £18,000, also raised by voluntary subscription. In the year 1885, the attendance at the Methodist College, Belfast, was 85 boarders, 227 day boys, and 97 girls, altogether 359; and for Wesley College the attendance was 70 boarders and 162 day boys, total 232. Adding the attendances of the two establishments it amounts to a total of 591. It would therefore appear that the attendance at these two establishments

was more than three times the attendance in the Royal Schools taking them altogether. For the year ending 31st January, 1885, the pupils of Wesley College obtained 29 distinctions in the University of Dublin and in the Royal University, and the total number of distinctions obtained by the Methodist College, Belfast, from the years 1879 to 1885 has been over 300, of the very highest class. The boarders are more than double the boarders of the six Royal Schools altogether. Wesley College, Dublin, has become so celebrated as an educational establishment that three or four years ago six or seven Fellows and Professors of Trinity College were having their sons educated in that establishment. Wesley College has achieved all these results without any endowment whatever.

Lord Justice FITZGERALD.—When you say "without any endowment whatever" you omit the provision which has been made by voluntary subscription.

Dr. Webb, &c.—I should say without any State endowment. The committee which met in Belfast and Dublin carefully considered this scheme which you are now discussing, and spent from any objections to matters of detail there is an objection which they make. They agree with the Commissioners that the existing endowments are public endowments for the benefit of the whole country and not for the benefit of a single class; but they submit that the scheme of the Commissioners is very inconsistent with that provision, because it has a provision for three previous only, and, in favour of three denominations only. They object in particular, omitting matters of mere detail, to the fundamental provisions of the whole scheme, contained in the 16th, 17th and 18th sections. The 17th section provides for the foundation of four denominational schools, to possess exclusive privileges that will give them an advantage over any of the existing schools carried on by open competition. There are two objections to that 17th section. In the first place it is the perpetuation of a system which has already signally failed, and it is inconsistent with the principle of religious equality, which forms the basis upon which the Act is framed, and to accomplish which the present Commission has been established. Now why should the Methodist body be excluded from participation? The work done and the advantage to be conferred on the community at large are to be considered in the distribution of the fund, yet the Methodist body who have shown themselves so skilful in conducting educational establishments are excluded even from the benefit of the 16th section, because that section provides for the subsidizing of schools only in the districts in which the Royal schools have been discontinued. There is the same objection to the 18th section, as the prizes and exhibitions are confined exclusively to the four schools contemplated by the 17th section, so that these eminently successful schools neither can be endowed, nor subsidised, nor encouraged, and are to be deprived of all interest whatever in this public educational fund, which is to be disposed of for the benefit of the whole community and of all denominations on the principles of religious equality. They object to this scheme, further, because it seems to be an express challenge to the third resolution of 18th October, 1885, that it is desirable to apply the endowments to schools already existing and successful rather than to the establishment of new institutions. The evidence given by the Rev. Mr. Martin, and the scheme proposed and put forward on behalf of the body we represent would put far more in accordance with the spirit of the Commission, and with the wishes of the Methodists. The financial administration of the endowments should be committed to a central board, and the income applied to grants in aid of existing institutions, those grants should be determined by the work done and that the work done should be ascertained by inspection. The spirit of the Act would be thus carried out, the principle of religious equality would be preserved, and a stimulus given to education and to the energy of voluntary bodies.

Adjourned.

THURSDAY, 4TH MARCH, 1896.

At the Swords Borough Schools.

Present:—Right Hon. the Lord CHANCELLOR, and the Right Hon. Lord Justice FITZGERALD, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.B., B.A., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

SWORDS BOROUGH SCHOOLS.

The Commissioners having inspected the several schools, held a public sitting in the Schoolhouse.

The Lord CHANCELLOR.—We have come here to-day primarily for the purpose of inspecting the school buildings belonging to both the schools in Swords, and also for the purpose of seeing these schools as they are at present working. We have gone through the schools, and have discharged that part of our business. We now propose to take evidence as to the number of children attending the schools, the ages from which the children come, the number of mistresses and mistresses employed, and the resources which are available for the purposes of both schools. Originally we had intended to resume this inquiry in Dublin

to-morrow, but in consequence of certain business which we have to discharge in connection with the Commission, it will not be possible for us to resume that course, we will, however, resume it at an early period, giving full notice to all the parties concerned, and fixing a day which will suit the convenience of all. It will probably be after the expiration of the coming fortnight. If there are any persons residing in the locality who may not think it convenient to come up to Dublin to submit their views, we will be happy to hear what they have to say on the present occasion.

Rev. Canon Thomas Twigg sworn and examined.

Rev. Canon
Thomas
Twigg.

710. Lord CHANCELLOR.—Canon Twigg you are the Vicar of Swords?—Yes, I have been Vicar for twenty-six years.

711. What is the average attendance at the Swords Borough schools?—The average attendance when I came in 1860, was about sixty-three or sixty-two at the three schools. The attendance gradually increased from that up to the year 1872, when it reached about ninety, and it has since gradually decreased until it is about in the same position it was in 1860.

712. What is the present number on the rolls?—Sixty-three or sixty-four.

713. Is the average attendance the number on the rolls?—Very near; they attend very regularly.

714. From what distance do the children generally come to attend the schools?—Properly speaking the schools have been for the children of the borough, but as many of the people have not availed themselves of them, we have allowed children to come from outside, but not admitting them to all the benefits of the schools. They are not entitled to apprentice fees, if they don't belong to the town, but they are entitled to the privilege of education. Some time ago the attendance was very small, and Mr. Cobbe who lives in a neighbouring parish, and who takes an interest in the schools, thought it would be desirable if we received some children from his parish. They came and received the advantage of education in the schools, but they were not eligible for the full amount of apprentice fees.

715. Do the majority come from within the boundaries of the Borough?—Yes.

716. What payments do the children make?—Not any. It is a free school altogether.

717. What are the advantages the children derive in addition to the instruction they receive?—We are in the habit of giving the children a "frugal meal" as directed by the charter, and a piece of bread is given to such children as wish for it. They get prizes in money at two examinations in the year, and they are eligible for apprentice fees.

718. What amount of money is given in the way of prizes?—I should think about £5 a year probably, £4 at each examination.

719. What are the apprentice fees given?—Three are given to boys, and three to girls. The boys' apprentice fee is £21 for each boy, and three are apprenticed each year if eligible. There is a couple

tive examination held, and the Board have passed a rule that their answering should be over 30 per cent to entitle them to fees.

720. The same number of apprentice fees is given to girls?—Yes, but not so valuable. The first fee for girls is £15.

721. What staff is employed?—A master and mistress, and at present we have an assistant-mistress for the infant school.

722. Lord Justice FITZGERALD.—I presume the master and mistress are principals, and the teacher for the infant school an assistant?—No. We placed the boys and girls' schools in connection with the National Board in the year 1882. At that time the mistress of the infant school had been for more than forty years mistress. We thought she would not be able to pass the examination required for teachers under the National Board, and the infant school was not placed in connection with the Board, but it was understood the infant school would be also placed under the National Board when that mistress either resigned or died. She has since died.

723. At present have you got two salaried teachers under the National Board?—Two under the Board, but not salaried by the Board.

724. The infant school is not under the Board yet?—No.

725. Lord CHANCELLOR.—What are the emoluments of the master?—He has £20 a year salary, and he has expiation fees and result fees, free apartments, a garden, and coals.

726. Who pays the result fees?—They are paid out of the endowment.

727. Do you receive no payments from the National Board?—None whatever.

728. What does the mistress get?—£50 a year, and she also gets expiation fees and result fees, and she has furnished apartments and coals.

729. What does the assistant-mistress get?—The assistant-mistress used to get £15 a year, but lately she has been paid £20 a year, in consequence of the chief mistress dying, and she having the whole management. She is receiving that salary at present.

730. What is the income derived from your endowments?—£721 16s. a year. It is derived from 1800 of in the funds.

731. How is that £721 16s. disposed of?—We

here a deputy superintendent, Mr. Boyce, who keeps the accounts, looks after the schools, examines the Board, and he is paid £80 a year for that.

732. How much do the agitation fees come to in the year?

Rev. Mr. Boyce.—About £10 a year. In 1885, they were £9 1s. 9d.

733. And the result fees?—Last year they were £31 15s. for boys and girls. The Board also pays a medical officer, Dr. Davis, who gets £25 a year.

734. What is that for?—For attendance on any of children who might be sick, and also their parents.

735. The parents of children attending the school get the benefit of his attendance?—Yes.

736. Is he the local medical officer of the district?

—Yes.

737. What is the expense of the food that is provided for the children, say last year?

Rev. Mr. Boyce.—£17 1s. 6d.

738. Lord Justice Fitzgerald.—From what area would the children come who would take advantage of the school, or ought to have advantage of it if the restriction as to the borough was removed?

Witness.—Well, I suppose they would come a reasonable distance; that would be very much for the children themselves.

739. What is a reasonable area from which the children would be likely to come?—They might come to us from a distance of three miles; some do come three miles; the furthest, I think.

740. Are there any schools in the immediate neighbourhood?—There are schools at Mallow, three miles away. We have children who come from Buncrana and from Glenties, but the great body of the children attending are from the neighbourhood of the town.

741. A radius of a couple of miles would substantially cover the distance any children come to attend the school?—Well, I think it would, with the exception of the children of a couple of families.

742. Rev. Dr. Mooney.—Can you give a return of the area from which the children come, the number of children now coming to the school from within the limits of the borough, and the number coming from without the limits of the borough, as near as it can be ascertained. We would also wish to get a return for the last ten years of the number of children who were bound apprentices each year, the school from which they came, the amount of apprentice fees paid in each case, and the trade to which they were bound apprentice in each case; the number of the children for whose benefit money was paid from the fund in other ways, the amount paid in each case, the school from which the children came, and the mode in which the money was applied?—Yes, Mr. Boyce will be able to furnish that information.

743. Lord CHANCELLOR.—What is the area of the borough?—The area of the borough is difficult to define. A Commission in the reign of Queen Elizabeth decided that the area should be a radius of two miles on all sides of the town. I find from an extract of the Report of the Municipal Corporation (Ireland) Commission that the limits of the Borough of Swords extend on the north to Ballymore, about a mile and three-quarters; on the east to Lisnashel river, a little less than a mile; on the south to Drynam, about one mile; on the west to Mooneystown, about three-quarters of a mile from the centre of the town. A grant of Queen Elizabeth is extant, dated 16th June, in the 26th year of her reign. (Chancery file 2R, No. 2804), "for the better establishing of the Corporation, and to make known the limits and bounds of the franchises and liberties . . . for increasing and appointing the limits two miles every way from the town of Swords."

744. An average of nearly £150 is given in apprentice fees?—Yes.

745. How do you determine the class of children who are to compete for these apprentice fees?—All children averaging from fourteen years of age to sixteen in our own school are eligible to compete. At present no other children are competing. For sixteen

or seventeen years we had other children—Roman Catholics—who competed, and the amount spent in apprentice fees at that time was considerably more than at present, when those children have ceased to compete.

746. Since the last inquiry, I believe Roman Catholic children have ceased to compete for apprentice fees?—Yes.

747. What was the class of apprenticeships you gave?—They were generally apprenticed to trades in Dublin. The fee was generally used to bind them to a trade, but if the parents of the children thought the money could be otherwise expended for their benefit, making them forward in the world in a *bona fide* way, it would be granted. We often gave fees to young people who became teachers of schools.

748. What did you find to be the principal opening for the children to whom you gave this money?—We sent a great number of our children to shops in Dublin. The greater number of them were provided for in that way.

749. Lord CHANCELLOR.—Does the parish of Swords correspond with the borough of Swords?—The borough of Swords is smaller than my parish, which consists of three parishes joined together—Swords, Kilmory, and Kilmaly.

750. I presume all the children attending your school are Church children?—Yes.

751. What is the Church population of the parish?—Three hundred—about sixty families.

752. Lord Justice Fitzgerald.—Is that the Church population of the three parishes?—Yes.

753. Do all the children attend?—Yes; except some gentlemen's children.

754. What class of children attend?—The children of farm labourers, the children of some gentlemen's servants; sometimes we have the children of tradesmen, policemen, and various other people of that class.

755. Who conducts the examinations for the apprenticeship fees?—Dr. Griffin. He has been for some time conducting these examinations.

756. What is the cost of conducting these examinations?—We pay Dr. Griffin £25 a year. We had a very large number of children at one time coming here, and we required a skilled examiner. We had the children at our own school examined along with the children of the National school, and it was quite necessary we should have a skilled examiner, so as to get over the business in one day. There was a good deal of work to be done.

757. Had you any communication with the people interested on the part of the Roman Catholics in preparing the draft scheme?—I may say I had not. I have spoken to some gentlemen about here, but not with all of them. I had a particular reason for not doing so.

758. I observe the names of a considerable number of gentlemen proposed to represent the Roman Catholics on the governing body. Have you reason to believe they would act if nominated?—Yes. Colonel Foster who has taken a great interest in the schools headed a deputation to the Governors at Swords, and wrote a letter to them expressing the changes he wished to make in the constitution of the school. I mentioned to him that I proposed to put him on the Board, or suggest his name, and he did not object to it.

759. Have you religious instruction in accordance with the rule of the National Board?—Yes; conducted by myself, and sometimes by Mr. Boyce.

760. Who is the manager under the National Board?—I am the manager.

761. Rev. Dr. Mooney.—The schools have been connected with the National Board since 1883?—Yes. I wish to say the Governors of the school determined in the year 1883 to conduct their schools on the principle of the National Board, and adopted the conscience clause, but they were not placed in connection until the year 1885; from that time the schools are in connection with the National Board.

March 4, 1886.

Rev. Canon
Thomas
Twigg.

752. Why have you not got payments from the National Board?—Because they considered we were insufficiently endowed.

753. Would there be any objection on the part of the governing body to allow the National Board to pay your schoolmaster?—Not the slightest.

754. The following is an extract from the minutes

of the National Board of the 17th October, 1885, placing the Swords School under the National Board. (Reads extract.) You are now subject to the rules of the National Board?—Yes! we got books, and have the benefit of inspection, but don't draw any of our teachers' salaries from the National Board.

Rev. William
George Bayes

Rev. William George Bayes sworn and examined.

755. Lord CHANCELLOR.—You are curate at Swords?—Yes, and deputy-superintendent of the schools.

756. The total income of the endowment is £731 16s. 1d.—Arising from dividends on Three per Cent. Consols, and vested in the name of the Governors.

757. Can you state to the Commissioners the different payments made out of that for the last year, 1885?—By salaries, £376 18s. Taking the average of the last five years, it is £375. The difference arises from raising the salaries of the masters occasionally. The items are:—Deputy-superintendent, £80 a year; Dr. Davys, medical officer, £35; Dr. Griffin, examiner, £25; schoolmaster, £90; schoolmistress, that is, in the girls' school, £50; second schoolmistress, for infant school, £47. We have also now an assistant mistress.

758. How much does she get?—£20. It was only £10, but it was raised recently, she being obliged to take on so much of the work.

759. What other payments were made by way of salary?—Mistress, two of them, we divided £6 between them, and £5 to a mistress; then we have a servant attached to the school at 8s. a week, which comes to £28 8s.

760. Does that exhaust the list?—No; we have his daughter who washes and dries, she has 10s. a quarter; then there is a man named Walsh, who takes charge of the glass, and if a window or lock is broken he mends it, or if the ropes of the window are broken he mends them. He is responsible for looking after all these matters. We give him £1 a quarter—£4 a year.

761. Professor DOUGHERTY.—You pay him whether the windows are broken or not?—Yes, a regular salary. Then there is a sweep who gets 12s. 6d. a quarter, which comes to £3 10s. a year. That will come very close to what I said. There might be a slight discrepancy when you tot it up, but it is in or about that. There was an old schoolmaster named Moffa, and we pensioned him by giving him £30 a year. He has died, and that of course drops.

762. Dr. TRAILL.—About £3 of that was paid in the last year?—Yes.

763. Lord CHANCELLOR.—The salaries come to £376 18s. What other payments were there in 1885?—Capitation fees £9 1s. 8d., which goes to the teachers.

764. Rev. Dr. MOLLAT.—How is that capitation fee calculated?—8s. a head on each child who makes an average attendance.

765. Lord CHANCELLOR.—Are there not result fees?—Yes, it is a special thing since we got under the National Board.

766. What did the apprentice fees last year amount to?—£114 10s.

767. How many boys and girls got those fees. State the particulars?—There was £21 to the first boy; £20 to the next.

768. What was the first boy apprenticed to?—He is not apprenticed yet, but it is awarded to him. He asked permission to be allowed to come to school another year.

769. Lord Justice FLEMING.—It has not been paid yet?—It has not been paid. Some of the apprentices don't get the money within the year.

770. The money paid in 1885, would be instalments of apprentice fees awarded for three or four years past?—Quite so.

771. What was awarded in 1885?—That does not appear in my book yet.

772. The first, got £31; the second, £20; and the third, £19?—Yes.

773. Dr. TRAILL.—Those all refer to boys?—Yes. Then Mary Curry, £16; Mary Boyd, £15; then Francis Long; a gratuity was granted by the board to him, to enable him to go to Australia. It is not paid yet. It was given as a grant under special circumstances; you will find it in the minute book of last year.

774. Rev. Dr. MOLLAT.—(reads the minute granting the sum of £15 to Francis Long, and that Mr. Bayes be requested to hold the same in hand.) That is the minute?—Yes, and accordingly I enter it in my book generally and not as a fee. That is not paid out yet.

775. Lord Justice FLEMING.—Did those who got apprentice fees this year, obtain them as the result of a competition?—Quite so. Five I think competed. It was not a few came up to the standard.

776. What is the qualification for presenting themselves with regard to the attendance at the school?—They must be three years in attendance, over sixteen years of age and under seventeen.

777. Dr. TRAILL.—Why should you limit them to three years' attendance in the school, when they are offered to persons not in attendance at all?—That was with regard to our own school.

778. Lord Justice FLEMING.—When the apprentice fees were competed for by others, it was under different conditions?—Yes.

779. You have stated the income came to £731 16s. 1d.—Yes.

In the statement you sent in of annual revenue and expenditure, at the debit side there appears the item of drafts you drew on your bank, amounting for six years to £4,075 10s.—Yes.

780. That does not amount to the whole of the dividends?—No, because we have always a balance, there is a balance in hands of cash, and a balance in bank besides.

781. How did the account stand in January, 1886?—Cash in hands, £15 1s. 10d.; in bank, £266 8s. 6d.

782. How much stock do you hold?—£24,093.

783. Has there been any increase or diminution in the amount of capital stock?—None in my time; it was never reinvested or sold out.

784. Do you supply the teachers apartments?—We do; that expense varies.

785. Lord CHANCELLOR.—What is the next item?—The bread account for the last year was £15 8s. 7d.—next is coal, £51 18s. 3d.

786. Is that coal all burned in the buildings?—Yes. We used to have a coal yard, but not for several years. I did ask the governors at first to grant a coal yard again, and they refused it point blank.

787. What is the next item?—Money paid at examinations, varying from 5s. to 5d.; the amount is £8 10s. 8d. These premiums are increased £1 10s.; postage and car hire, train hire, and stationery, £4 8s. 4d. in the year. Under the head of stationery, I include envelopes and writing material that I used myself. The next are special result fees.

788. How much are those?—Those were recommended by the National Board, and which they would have paid if they were giving a grant, but they said they would having nothing to say to money transactions, and that we might pay the masters, and by order of Canon Twigg I paid the amount of special result fees, which came to £21 15s.

789. Dr. TRAILL.—That was the result of the in-

specimens by the National Board?—Quite so. There is a small item for cleaning the yards outside, £1. Then there was a donation to the Swords Library, that came to £10.

800. What was that library?—That was a library I established here. The subscription was 5s. I had it established in the infant school. I asked subscriptions from some of the gentry for it, and also from the governors. The gentry gave me something towards it, and the governors gave me £10.

801. Professor DOCUMENT.—Is it a free library?—No, the subscription is 5s. a year. Any one that likes may come in, but no one takes any interest in it except our own church people.

802. Lord CHANCELLOR.—That is £10?—Yes; then comes a balance of a piano, £32.

803. Was that for the purposes of the school?—It was.

804. Lord Justice FRYGROUSE.—Have you only one piano?—One. There is a harmonium also. The price of the piano was £40, I think. We spend it over two years.

805. Lord CHANCELLOR.—What is the next item?—Tutoring some seventeen children. I have the examination sheets for 1884 and 1885, and we keep a large book, similar to that minute book, in which all the children are entered in their various classes, and in which their respective answering is entered down, and the master and mistress get £1 a year for doing that. There is the book.

806. Lord Justice FRYGROUSE.—£2 a year go to teachers for writing up that book?—Yes.

807. Lord CHANCELLOR.—What is the next item?—Entertainments for children. Two entertainments came to £6 18s. 11d.

808. The next?—Help given to Margaret Lowham. She was a very poor woman, and Queen Twigg brought her case before the board, and asked some donation to assist herself and her sister, and they granted a sum of £10. I was responsible for the spending of it, and I paid two shillings a week to a Mrs. Welden in the town here for a certain period, so that she might get it in bread and butter. I found after a certain time that it amounted to a certain thing, which I have the receipt for from Mrs. Welden. The poor woman died, and the balance of it went to defray the expenses of her funeral.

809. Lord Justice FRYGROUSE.—That is a balance of what appeared in a previous account of "charity, per order local governors"?—Yes; there was another charity or donation in 1884.

810. Lord CHANCELLOR.—What is the next item?—Conveyance of children to the Phoenix Park on the occasion of the Princess of Wales being there, by order of the governors, £3, bringing them there and back; repairs of the premises, £25 10s. 6d., painting, &c. As to that item, I should state it is larger than usual; on one occasion it was only £7. The next is donation to coal charity, £27 19s. 6d. That was for the relief of the poor. Queen Twigg asked that the governors would grant a certain sum of money towards carrying out this charity.

811. Lord Justice FRYGROUSE.—How is that distributed?—Every Saturday the poor people come and get their names down in the list; they come before the committee every Saturday. The coal is not actually given away; the people pay a certain amount towards it.

812. Is that open to all denominations?—There are about 147 heads, and there are only about nine Protestants in that. One present schoolmistress here—her mother became ill, and during her illness we were obliged for a fortnight or three weeks to get an assistant to help her, for which there is a small item, £4 10s.; balance in my hands, £15 10s., and I make all these items £735 18s.

813. Lord CHANCELLOR.—As to the apprentice fee, to what children were they paid, and to what trades were those children bound. The total amount is £138 10s. 1.—For the children attending these schools, for the boys there are three fees and three for the

girls, £21, £20, and £19 for boys; for girls, £15, £15, and £14—£105 in all.

814. But in your accounts it is £114 10s.; is that actually paid?—That is a balance over from another year. Sometimes an apprentice does not get his money for three or four years.

815. Lord Justice FRYGROUSE.—Have you a separate account of the apprentice fees?—Yes.

816. Lord CHANCELLOR.—To what date does the account come up to?—June, 1881, was the last time the pupils of the National schools appear here.

817. Rev. Dr. MONRO.—The return I asked for extends over a period of ten years?—Yes.

818. So it will cover five years during which no children came from the other schools and five years during which they did come?—Yes, I can give such a return.

819. I should like to know your opinion generally with regard to the working of the system of apprentice fees; whether it worked well and efficiently for the children of the borough?—I most solemnly believe it has in the majority of cases. There have been cases in which the masters deceived us and became bankrupt. In one case a boy was bound to a osh maker in Dublin, and he demanded the whole of the fee from me. I refused to do that, because I was directed by the governors to refuse it; but when the apprenticeship was fully completed, to pay the balance.

820. Lord Justice FRYGROUSE.—The first case I see here is William Doughan—fee paid in 1884; awarded £21 in June, 1885. Then there are payments of £3 and £5, and finally gave him £18 on the 10th April, 1885. What is his position in life?—He has gone to America—to Winnipeg. He desired to leave his mother and join the navy, against her wish. He went to Malakide and spoke to the commandant there. They answered him to see was he eligible for the navy. They said he was, and on that he started off to Portsmouth to join. He was rejected at Portsmouth, and they sent him back without sixpence, and he was in a wretched state.

821. And you gave him £13 to take him out of the country?—Yes, and an outfit.

822. There is an item here—Williamson, postmaster, Avoca, £18. What was the nature of that payment to the postmaster at Avoca?—It was a payment in respect of a boy who became a telegraph clerk, and he is there still.

823. The next is Isabella Mace, £18; of this she got £2 in December, 1884, and nothing since?—She is going in for further education.

824. You don't pay the money until you see they get some sort of provision?—Quite so.

825. M. Stodart, the fee was paid in full, £15 1.—Yes; she was bound to a hosiery in Talbot-street; but she has gone with her family to Australia.

826. Rev. Dr. MONRO.—A good deal of your apprentice fees go for emigration?—There are two instances of it.

827. Maggie Butler, £14 fee, and there is a payment of £5 on the 27th October?—She is to get further education.

828. What is she bound to, for it is marked "now bound"?—I cannot call to mind just now, but I can get the indentment. She is learning sewing.

829. Lord Justice FRYGROUSE.—David Long got a grant in September, 1885—£13—bound to a man named Smith, a blacksmith in Wicklow?—The fee was not all paid at first.

830. Charles McRoddin, £11—going to Farn school. He got £17 out of the £21?—That is an instance of going to get further education.

831. The money given to him enabled him to pursue his education?—Yes.

832. James Pinkerton got £20 in cash. Maryanne Grandy got her fee in instalments?—Yes; she has gone away also.

833. The money they win at competitive examinations is spent from time to time as the emergency for each case arises?—Quite so.

March 4, 1886.

Rev. William George Byron.

March 4, 1886.

Rev. William George Deane.

834. As a general rule the pupils who get those fees go to Dublin to be bound apprentices, or they go away?—Yes; they sometimes go away.

835. Rev. Dr. McNeill.—Have you considered how far that fund could be made available for the development of something in the way of industrial teaching in this town itself?—I did not. I think it might be done.

Rev. David P. Mahony, R.P.

* Rev. David P. Mahony, R.P., sworn and examined.

837. Lord CHAMBERLAIN.—You are the parish priest of Swords, and the manager of the National schools?—Yes.

838. I presume the children attending these schools are all Catholics?—They are all Catholics.

839. Next to the Commissioners what the average number on the roll is for 1885?—The average on the roll of the male school is 176; and the average attendance, 129.

840. The female school—what is the average number on the roll?—The average number on the roll is 135; and the average attendance, 146.

841. Does the female school include the infant school?—Yes.

842. Dr. TRAILL.—The numbers you have given are for 1885?—Yes.

843. From what area do the children attending these schools come?—The greater number of the children come from an area of about two miles on either side of the town.

844. If you get beyond that there is another National School?—Yes, at Killoosey, Kinneloy, and also at Malahide.

845. Lord Justice Fitzgerald.—What is the extent of your parish; is it the same as the Protestant parish?—Not so large.

846. The Protestant parish includes Swords, Killoosey and Kinneloy?—Yes.

847. Your parish does not include as large an area as those three?—Not more than about two miles from the centre.

848. Your parish would be coterminous with the old borough of Swords?—Yes. On looking over a Parliamentary register, I find the borough of Swords extended a mile and two-quarters on one side, and a mile and three-quarters towards the sea, to the north.

849. What is the population of your parish?—About 2,000 Catholics.

850. And how many families?—About 400 families. That does not include Malahide which is portion of my parish.

851. The clergyman in Malahide is one of your curates?—Yes, but in Malahide they have a separate school.

852. Children could not come from Malahide to Swords?—Certainly not. I consider the funds given to the borough school of Swords, should be given alone to the borough.

853. You would exclude the portion of your parish which consists of Malahide?—Certainly.

854. What are the funds which are available for keeping up your school. First, what do you get from the National Board?—Last year, salaries £102 18s. 8d. for the male school.

855. Lord Justice Fitzgerald.—Do you mean as result fees?—No, fixed salaries.

856. Lord CHAMBERLAIN.—Between whom is that money divided?—Between the masters.

857. How much does the principal master receive?—About ten guineas a quarter his pay is. He will be examined. £44 a year he gets, and the assistants £35 a year each.

858. How many assistants are there?—Two assistants.

859. If the two assistants get £35 a year each and the principal £44, that would be £114?—Yes. We have only got one of those assistants within the last six months.

836. Because the system of apprenticeship is not what it was twenty or thirty years ago, and industrial teaching is more or less taking its place?—It is not. It is difficult to get a place for them now. The fees are not large enough, and tradesmen won't take them under £30. Formerly they would take an apprentice for £10, but they will not take them now under £30—at least they will ask £30.

860. With a full staff you would be entitled to about £114?—Yes. We have also three masters who are paid according to the time of service.

861. As regards the female school?—Last year the teacher's salaries in the female school amounted to £130 5s. 1d.

862. How was that divided?—Between the principal, two assistants, and three maistresses.

863. What did the principal mistress get?—The principal got £50 a year.

864. What is Miss Hyland who has charge of the Kinneloy school?—An assistant. The assistants get £37 10s. a year, about £5 10s. a quarter, and some trawlers for the first year £1 6s., and for the second year £1 10s.

865. The principal mistress gets £50 a year?—Yes.

866. £34 or £35 would be left for maistresses and workwomen? There is a third assistant part of the year.

867. In addition to the salaries do you receive any other moneys from the National Board?—We receive results fees from the National Board.

868. How much for result fees in the female school?—£47 10s., and £2 results for instrumental music.

869. And how much in the male school?—£44 10s.

870. Do the salaries and result fees represent all you get from the National Board?—Quite so.

871. Outside what you get from the National Board, do the children pay any money?—Yes, school fees.

872. What are they?—They vary according to the circumstances of the family.

873. Are there any children taken free?—The greater number are free. The school fees paid in the male school last year were £16 10s. 11d., and in the female school £18 6s. 4d.

874. Irrespective of the school fees, are there any local contributions?—Yes; there is a charity sermon, the proceeds from which are applied partly to the schools.

875. Do any of the proceeds of the charity sermon go to the teachers?—Yes.

876. Is there any local endowment?—Nothing of that kind.

877. The money available for these schools consists of what you get from the National Board, School fees, and the proceeds of the charity sermon?—Quite so.

878. Lord Justice Fitzgerald.—What is the average amount of contribution from the charity women?—From the parish, between £30 and £40.

879. Do you get assistance from outside?—Yes; from the whole district.

880. How much did you get last year altogether?—About £50, including the contributions.

881. Lord CHAMBERLAIN.—Of that £50 how much went to the teachers?—One teacher got £15.

882. Was that to a female teacher?—Yes. I have to pay for the house accommodation of another teacher, Miss Hyland, £5 a year.

883. That is rent?—Yes. Coals for the school amount to about £5. Keeping the schoolroom in repair, and masters of that kind, come to £4 or £5 a year.

884. Is there any sum spent on school requisites?—Yes. The desks for the school the Commissioners were in to-day cost a large sum about two years ago. We got up new desks, and they cost for the two schools nearly £50.

885. How did you meet that expense?—By having maffs and busses. The requisites and repairs for the school alone cost me £200 between the last two and these years. Miss Kennedy, our workmistress, gets £2 a year. Then I paid £22 10s. for a harmonium; a sewing machine cost £7; the Kindergarten desks cost me £10. I calculate the schools have cost me between £800 and £440.

886. Lord Justice FRANKLIN.—Was the school founded since you came to the parish?—No; it was founded in 1855.

887. Can you give us an idea of how much capital expenditure was incurred since you came yourself to the parish?—About £350 during my time at the very least.

888. Can you say how much besides that was spent on the buildings?—At the time it was built £500, but that did not include the amount of labour given by the parishmen.

889. £340 of outlay besides free labour?—Yes, and stoves were given for nothing. That was for actual building, and afterwards more was expended in the plastering and flooring.

890. How much in money besides the £800 was spent on the building?—I could not say. I think it could not be built now for less than £3,000.

891. What is the size of the schoolroom?—Fifty feet by twenty-five. Each schoolroom is the same size.

892. Do you know the height?—Fifteen feet; at least the female school is that, and I think the male school the same.

893. Can you give the particulars of the £350 expended since you became parish priest here, will you be able to make it out for us?—Yes, my lord.

894. We would be glad to get an estimate showing what the original cost of the buildings was, the amount of money laid out in improving them since, and also how these payments were met?—I can give it approximately, if I can judge from what I expended on the school at Malahide, which cost me £1,500 during the last year, and if I were to build the Swords school as it is at present it would cost me at least £2,000.

895. Lord Justice FRANKLIN.—It would come to between £1,400 and £1,500, according to my calculation, "making" it as architects do.

896. Lord CHANCELLOR.—You have not sufficient space in the building for the number of children attending?—Certainly not.

897. What number of schoolrooms do you consider would be sufficient for the children attending?—We would require two infant schools, also a school for adult girls, and a school for adult boys.

898. That would be four rooms altogether?—Yes, besides two class halls, one for the adult boys, and one for the adult girls.

899. These could be made by partitions?—The class halls could be taken off the main room. I have a class hall in Malahide school. It is a magnificent school. There is an adult female school and a class hall off it. It is impossible for the grown up girls to learn their lessons with all the infants about them.

900. Lord Justice FRANKLIN.—Buildings of the same size as the present school, more capable of division, would effect you what you want?—I certainly would require two rooms equally large as the present ones.

901. These would be capable of division?—Yes.

902. There would be as much cubic accommodation as you have now?—Yes, but a residence for the teacher would be required. At present the principal teacher in the female school lives in a small room.

903. Do any of the teachers live under the roof of the school?—Yes; one of the principal teachers. There is a wooden partition in the school.

904. Which teacher lives there?—Miss Abena. The assistant, Miss Carroll, lives in a room twelve feet by six.

905. Does anyone else live under the roof of the school?—No.

906. Where does the principal male teacher live?—He has a house of his own, for which he pays rent. I don't find a residence for him.

907. Rev. Dr. MENAGOT.—Would it be better to have a house apart for the teachers, than to have the teachers living under the roof of the school?—I would prefer if the residence was distinct altogether from the schoolroom. Those two rooms are too small for class-rooms.

908. Have you not some small special classes?—At present we utilize the small school off the main school for Kindergarten.

909. Do you get result fees for that?—The National Board won't give us result fees for Kindergarten, because we have not a distinct infant school.

910. If you had a distinct residence for the teachers you could utilize the rooms at present occupied by the teachers for school purposes?—Those rooms would really be required for hanging up the children's clothes in.

911. Lord Justice FRANKLIN.—You consider they would be only fit for the children to leave their outside clothes in?—Yes.

912. Where do the assistant teachers live?—Miss Abena and Miss Carroll live in the schoolhouse. The principal male teacher has his own house. Mr. Coleman, the first assistant, and the second assistant, live together in the town, and the second assistant pays for his lodgings.

913. They provide their own houses also?—Yes. Miss Hyland lodges in the town, and I pay for her lodgings, £5 a year.

914. The additional assistant female teacher—where does she live?—Bridget Curran; she lives with her mother.

915. After you came to the parish some of the children for some time competed for the apprenticeship fees provided out of the borough school fund?—Yes.

916. What did you find the most useful way of applying that money?—I was not contented.

917. What use would be the best, according to your opinion, to make of the money available for school children after their school teaching, whether giving them apprenticeship fees and putting them into shops, or otherwise?—The fees given are quite unfit to give a child a respectable position.

918. What was the amount, do you remember, in each case?—I did not take much interest in it.

919. You took no part in the management of it?—No.

920. Assuming there was portion of the endowment available for children after their school-days, could it not be made useful?—Undoubtedly; but the fees should be so used as to give the children a respectable position.

921. Having regard to the amount of the endowment, £750 a year, do you think it would be more useful to apply that to intermediate school teaching in Swords, or to the children after they get their intermediate school teaching?—No place in the whole country requires a good intermediate school more than Swords, and if the Commissioners could see their way to it, it would be a good thing to get an intermediate school for Swords. There are many respectable Catholic families who are obliged to send their children to Dublin, and it would be a good thing if an intermediate school could be established, one for Catholics, according to their number, and another for Protestants.

922. A school for higher education than is given in your school at present?—Yes.

923. Dr. TRAVER.—How many would avail themselves of such an intermediate school in the neighbourhood?—I could guarantee twenty or thirty boys who would be quite able to pay a certain fee.

924. Do you consider that would be better than applying portion of the endowment in apprenticing them to certain trades?—It would, although contrary to the foundation. I would consider the apprenticeship fees would be far better applied in such a way.

March 4, 1888.
Rev. David P.
Malahide, R.P.

March 4, 1884.

Rev. David P. Mahony, Esq.

925. Lord Justice FITZGERSON.—Supposing you had the administration of the fund now for the benefit of the inhabitants of Swords, would it be wise, in your opinion, to expend the whole of it in giving education in Swords itself, or to apply part of it to the purposes of education and another portion in making small payments to children leaving Swords?—I don't like the idea of people leaving Swords. I would sooner keep them in Swords if I could.

926. Is there any large proportion of the Catholic children who would be inclined to go into trades in Dublin?—A great many.

927. Do you think any portion of the endowment available could be usefully spent in that way?—I think so.

928. Have any of your parishioners' children been apprenticed in Dublin?—I had no communication with the borough school since I came to the parish; I did not look after them; of course I know of them and hear of them.

929. Technical education, teaching trades and handicrafts, could that be done?—I think so.

930. In what way would you suggest?—If you give me this school here, and give the infant school to the Protestants which is quite large enough for their accommodation, I could turn my school into a technical school, and give teaching in trades. I have a list of the children coming from all sides, from Donmelo, Boscin, and the Gap, within three or four miles of Swords, all making a total of fifty-six. If, as I state, you give me this school, I could easily turn the National school into a technical school.

931. What is your idea of a technical school?—I may mention that at present the estate here has a large number of girls employed making envelopes for bottles. If we got the money into our pocket, we will soon give employment and technical education. The population of Swords is large, and the people are willing and able to work.

932. Would you propose to give them actual technical teaching in trades?—Yes.

933. Do you think that would be a better way of dealing with portion of the endowment than giving small sums of money by way of apprentice fees?—I think so. A great number of apprentices have been sent out of the borough school for several years past, and I would like to know if many of them become masters in their trades. I would like to have a return of them for the last ten years.

934. Suppose we see our way to constructing a scheme in which there would be a board or authority to represent the Roman Catholic population of Swords, how do you think that could best be formed? In other words, suppose your share of the money was ascertained according to an equitable principle, to whom should the administration of it be entrusted?—I would be quite willing to have it entrusted to persons selected by my Archbishop.

935. And the parish priest also?—Likely the Archbishop would appoint the parish priest.

936. Would you think it advisable to have any lay representatives?—I don't object to them. With great respect, the fewer that are appointed in matters of this kind the better, for if you have a large number they do not attend.

937. Dr. TRAILL.—Would you object to lay representation of your own denomination on the governing body?—Certainly not.

938. Rev. Dr. MACLEOD.—With regard to the distribution of the fund, what would appear to you to be an equitable principle to follow?—I would go on the principle of taking the numbers.

939. You have on the rolls at present in your school 369, and an average attendance of 275. In the other school the number on the roll is sixty-three, and the average attendance is about fifty?—Yes. These children in the other school include eight or nine children sent out from Dublin, and which did not belong to Swords at all, and who are at present in the borough school.

940. Lord Justice FITZGERSON (to Rev. Mr. Boyce).—How many children have you altogether attending the borough school?

Rev. Mr. Boyce.—Sixty-three.

Witness.—They must have come since October last.

941. Lord Justice FITZGERSON.—There are some of these children, although living in the neighbourhood, have been sent from Dublin?

Rev. Mr. Boyce.—Yes.

942. Lord Justice FITZGERSON.—Then the principle you think fair is the principle of numbers of the inhabitants of the old borough?

Witness.—Yes, my lord.

943. Dr. TRAILL.—Do you mean that the said fund should be distributed in proportion to the numbers of the different denominations?—Yes.

944. Don't you think the fundamental expense of the school in the first instance, irrespective of the numbers attending it, should be provided for. In every school there must be a minimum supply of masters and plant, and should the attendance increase you must employ additional masters and additional plant, would it not be a more just scheme to provide the plant as to each denomination first, and afterwards according to numbers, get a proportionate increase?—Certainly for a school of fifty the principal master will require as much money as if they had 100.

945. After the necessary supplies would be provided, you would then consider how the numbers would be dealt with in proportion?—Yes.

Dr. TRAILL.—That is very fair.

946. Lord Justice FITZGERSON.—Your staff at present receive altogether from £410 to £420 in the year; your result fees, £44 and £47; £248 salaries; £35 paid to monitors; and £50 from charity schools?—Yes.

947. Is the staff you have now adequate for the number that are attending?—I should think not.

948. Supposing you had more money, would you expend it in increasing the salaries of the present staff, or in employing a larger number?—In employing a larger number. If I had two infant schools, I would require an additional staff. If I can keep an average attendance in the infant boys' school of seventy, I would require a principal assistant and monitors.

949. What is the number that the National Board allow you a principal and assistant for?—Seventy.

950. If you had seventy in your infant boys' school and seventy in your girls' school, that would make 140, and apparently the number would not admit of having two adult schools in addition?—Certainly.

951. Are there any children in your parish not attending school at present?—There are a great many.

952. Rev. Dr. MACLEOD.—At all events it is your opinion there is a sufficient number of infant boys and infant girls to warrant two infant schools?—Yes.

953. And a sufficient number of adult boys and girls to warrant your having two adult schools?—Yes.

954. Lord Justice FITZGERSON.—As regards future prospects, your population is 2,000?—Yes.

955. And you have attending school 275?—Yes, an average attendance, and 369 on the rolls.

956. That is nearly 15 per cent. of the whole population?—We work up the schools as well as we can here.

957. If our people had a fair distribution of the borough school fund we could bring in sixty more children. Few children attend beyond the age of thirteen; they are taken away, and if a higher education was given them they would remain up to thirteen.

958. Rev. Dr. MACLEOD.—Should you like to provide for the people of this neighbourhood a higher class of literary education, or rather provide for them some form of industrial education?—Industry, certainly.

959. If we can see some way to the development of an industrial school, it would be an advantage to the neighbourhood?—Certainly.

960. A surplus fund might well be applied to that purpose?—Certainly.

961. Professor DOUGHERTY.—You have never tried to teach drawing in your school?—We have; it is altogether in the female school; fifty, I think, are being taught.

962. Lord Justice FRASER.—Have you no drawing in the boys' school?—No.

963. Had you any examination for the Science and Art Department in your drawing school?—No.

964. Dr. TRAILL.—It might be worth your while applying for it. You would get a good deal of money for results from the Science and Art Department?—It is badly wanted.

965. Lord CHANCELLOR.—It would appear from the telegram you have just handed me that the Archbishop

declines to act under any such scheme as that proposed on the part of the Government. That telegram states what the Archbishop's views are, and that he considers that scheme inequitable?—Exactly, my Lord.

966. Lord Justice FRASER.—What is the number of your clerical staff?—Father Kavanagh, who is curate in Swords, and another curate in Malahide.

967. Are you resident in Swords or Malahide?—In Swords.

968. You are the parish priest, and you have one curate in Swords?—Yes.

969. Does the curate take part in the management of the school?—Indeed he does, a very active part.

Denis Holland sworn and examined.

970. Lord CHANCELLOR.—How long have you been teacher in the National School?—Since October, 1881, I have been the principal teacher of the boys' school.

971. What was the average attendance during that time?—I have taken from the books and I have here the averages for some years. In 1863 the average was about 81.

972. What was it in 1881 when you came?—110.

973. What has it been since then?—In 1882 it was 115, in 1883 it was 114, in 1884 it was 130, and in 1885 it was 129.

974. What do you attribute the increase between 1882 and 1884 to?—I can attribute it to the very great assistance I received from the clergy during that time; and also to the fact of the civil service examinations to which some of the boys were admitted, and some of the boys succeeded in getting commercial situations, and this induced other boys to come in.

975. Lord Justice FRASER.—What boys went for the Civil Service Examination?—Two boys from the school obtained certificates in the General Post Office, and some of these got commercial situations, and another got a situation in Dublin.

976. What situation did he get?—It is a clerkship.

977. Did he receive his education altogether in Swords?—Yes. The two others passed the competitive examination, one taking third place of all candidates in the kingdom.

978. Did you give them any special teaching in the school to prepare them for the examination?—No; except as mentioned.

979. I suppose your monitors have an hour extra in the morning?—Three quarters of an hour; that may be shared in by the senior boys.

980. Are there other boys who have gone from the school and who have been similarly successful?—There are other boys who are in the Blackrock College who promise to do well.

981. Did they go direct from here to Blackrock?—They went direct from here.

982. Any other boy?—I cannot tell, there are very many who expect to succeed, either to get into college or into Civil Service situations.

983. What are the boys at the Blackrock College intending to do?—One of them proposes to be a barrister; as to the others I cannot tell.

984. They are going on with higher education?—Yes.

985. At what age do the children leave the boys' school?—In 1883 the average age was 10·2, and it has been gradually decreasing from that time to the present, when in 1885 it was 8·07.

986. Does that arise from the fact that the children are sent at an earlier age than previously?—The boys are sent to school now at an earlier age, and it is not a very large proportion—a very small proportion of them remain on after the age of ten. This is a return of ages, and of the 209 who attended in 1883, there were 130 under ten years of age; over ten and under thirteen, 43; thirteen and under fifteen, 22; and above fifteen, only five. That was

taking the entire year 1885, making a total of 209 on the roll.

987. If there were more funds at the disposal of the management of your school, would it have the effect of keeping the boys longer at the school?—Undoubtedly; if a reasonable inducement was held out to them in the way of prize or apprenticeship, they would hold on. When I entered here there were some thirty or forty boys held on because of the little trade they were getting from this Borough fund, and when it was cut off, they fell off.

988. Do you think it would be a wise thing to have an exhibition for boys held at an intermediate school?—It would be a wise thing to give a certain number of scholarships to deserving boys.

989. What was the social position of the three boys admitted to Blackrock?—They were farmers' sons.

990. Were they admitted on special terms?—No, full pension.

991. What are the fees there?—Upwards of £40 a year.

992. Rev. Dr. MOLLOY.—Is there a general desire amongst the farmers' sons to have an opportunity of going to such a college as Blackrock?—A certain number, but not considerable. Some boys show a taste for higher education; and I agree with the parish priest when he says a greater number of them would prefer to be bound to some industry.

993. Lord Justice FRASER.—If you had a class in your school, in the Swords school, in which there would be an education given of a higher class than National education, about how many boys would you expect to bring into it?—Not more than a dozen.

994. The rest of the boys would want a trade education or a National Board education?—Yes.

995. Rev. Dr. MOLLOY.—You think the prevailing want is rather of an industrial education than of a higher literary education?—They have more desire for mechanical occupation than for higher education.

996. Professor DOUGHERTY.—Have you ever thought of teaching your boys drawing?—No. To teach music with the usual school course, including algebra, geometry, agriculture, and book-keeping, is even more than what I can satisfactorily do. It would be taking too much on myself to teach drawing, unless a drawing master was introduced.

997. Lord Justice FRASER.—Had you any night school?—One of my assistants had.

Rev. Mr. McNeely, &c.—The night school fell off.

998. Lord Justice FRASER.—(To the witness Denis Holland).—Where were you trained?—In Marlborough-street, in 1878 and 1879.

999. Did you go through a two years' course?—No.

1000. What class were you in?—I received a certificate for the first division of the second class. Afterwards I attended the Catholic University, where I was under the superintendence of Rev. Dr. Molloy.

1001. Rev. Dr. MOLLOY.—Were you in the Drumcondra Training College?—Yes, for seven months, and I went over from the Drumcondra Training College.

Miss Catherine AHERN sworn and examined.

March 6, 1895.

Miss Catherine AHERN.

1002. Lord CHANCELLOR.—How long have you been a teacher in the Swords National school?—Since 1872.

1003. Where were you trained?—In Marlborough-street.

1004. Where had you been before you came here?—I was teaching in Marlborough-street for seven years, and for some time I went to teach in a Convent school, not under the Board.

1005. When you came here as principal, how were you classed?—Second of first class since 1883.

1006. That was your original classification?—Yes; I was four years in the junior class before I got that.

1007. Can you tell us the number in the girls' school?—In 1872, 107 was the average attendance; and in 1881, 118 average present.

1008. Each year since then?—In 1882, 117; 1883, 122; 1884, 139; 1885, 144.

1009. There appears to have been a small, but steady increase during those years?—Yes.

1010. To what do you attribute that?—To the zeal of the clergy.

1011. Lord Justice FRYGEMAN.—Is the infant school included in these numbers?—Yes.

1012. When did you start the Kindergarten?—About two years ago.

1013. Has that brought additional numbers?—Yes, children of a younger age.

1014. What are the ages of the children?—I think about nine.

1015. The Kindergarten would bring children of a tender age; to what age do they generally remain?—Since the fees ceased the head class children do not remain so long.

1016. If the fees were continued it would induce them to remain longer at school?—It did induce them.

1017. Can you give the Commissioners any information as to what use those fees were put to by the girls?—A good many of my girls went to serve their time as dressmakers in the town. They did not rise to anything after that. A more respectable class of girls got the money to enable them to learn music, instrumental music, and paid for it out of those fees. Respectable farmers' daughters competed for them.

1018. Rev. Dr. MOLLOY.—Was the money placed at their own disposal?—It was. Rev. Mr. Boyce gave the money.

1019. Lord Justice FRYGEMAN.—Provided they put it to a good use, you left it to their own discretion as to how they would use it?

Rev. Mr. Boyce.—More or less.

1020. Lord Justice FRYGEMAN. (To Miss AHERN).—Have a large number of your girls gone into business?—Some have gone into business, and some have become teachers.

1021. Mention any who have become teachers?—Anne BYRNE, is the principal teacher of the Oldtown school; she is within three or four miles of this. She was appointed mistress first, after getting her fee.

Rev. Mr. Boyce.—She got the fee in small portions.

1022. Lord Justice FRYGEMAN. (To Miss AHERN).—Have any of the girls taken to National school teaching?—Yes; Bridget CANNON is an assistant in Swords National school.

1023. How did she use the fee?—To help to maintain her, and to learn music. Some of them also went to convents to be further educated.

1024. What class of girls in the school went on for higher education?—Some of my girls went to convents; they were farmers' daughters who had some means of their own.

1025. Is there any opening for girls in the way of trade or handicraft in Swords?—For the majority of our girls of the trade and labouring classes, an industrial training would be the best for them. We have a large number of children of superior taste, who desire

to learn instrumental music and advanced subjects. Some of them desire to be teachers.

1026. Do you attempt any teaching of French?—It is not on our programme, but three of the teachers do teach it. We did commence it, but our former manager thought we had too many subjects. We had read music, book-keeping and Kindergarten.

1027. Professor DEGENER.—You do not teach domestic economy?—No.

1028. Lord CHANCELLOR.—Did any of your girls go in for the Intermediate examinations?—None.

1029. What class of industrial training would be suitable to them?—I have not considered that.

1030. Lord Justice FRYGEMAN.—If you had a class in the school in which a higher education was given than the ordinary National Board programme, how many girls desirous of that sort of education would seek to enter such a class?—I have twelve girls at present in the sixth class, that is a very high class, and of the twelve every one of them would desire a superior education.

1031. What is the age of the oldest in your sixth class?—None of them are yet sixteen; the ages vary between fourteen and sixteen.

1032. You have none older than sixteen in the sixth class?—No. These twelve girls would all like a higher education if they got it.

1033. Rev. Dr. MOLLOY.—Are there many girls of intellectual promise in this neighbourhood?—Yes.

1034. Many of them would desire to become teachers?—Yes.

1035. Should you consider it a useful application of a portion of this fund if they were enabled to pay their fees at a training school?—I think so; they will not be taken at the training school without promise of a fee.

1036. They are principally the daughters of farmers?—Not all, but many of them. Very few of the farmers round here have families.

1037. Lord CHANCELLOR.—You have 146 children attending, and twelve of these are in the sixth class?—Yes. The second fifth is a very high class also. They learn advanced subjects in the second fifth. I teach the two classes together. There are twenty-four in the two classes. Then there is drawing.

1038. Rev. Dr. MOLLOY.—Have the children any inclination for the finer kinds of needle work or crochet work?—They would, if the opportunity were afforded.

1039. There is no school here in which such matters are taught?—Ours is the only school for Catholic children, and they all come to us. Very few of the Catholic gentry send their children, but we have all the children of the middle classes, and the children of the poor.

1040. Is there any particular kind of industry you think the children would have a special taste or aptitude for?—I don't know anything that would be remunerative that could be taught in the school.

1041. Dr. TRAHAN.—Needlework would scarcely pay at the present day?—I cannot say. Two girls wish me to state that they passed a creditable examination. Mary Jane FRIERY, and another who is married now—and they make it a grievance that they did not get the full fee. Three boys went in from the Catholic school, and two were rejected. Five of our girls got the teaching necessary for the granting of the fee, and two that did pass only got £5 and £6, and it is put forward as a grievance.

1042. Lord Justice FRYGEMAN.—What year was this?—1873. Some of the Catholic boys say they were entitled to the fee.

Rev. Mr. Boyce.—Three of them got fees, and the others came close to being awarded them. These two girls who answered beyond the number of marks required thought they should get the fees of the boys who lost. In fact five girls came to compete for three fees. Naturally three got the fees, and two were ousted. They came so close to the three who were

successful that I, on the representation of the mistress, brought it before the board. The board could not grant more than the three fees, but they gave those two girls gratuities of 25 and 50. I understand that those girls feel it a grievance because they were not awarded some of the boys' fees that I paid, only one boy being successful in that year.

1043. Your rules did not allow a lapse fee payable to a boy if successful to go to a girl?

Rev. Mr. Boyce.—Exactly.

John Coleman sworn and examined.

1044. Lord CHANCELLOR.—You are an assistant teacher in the male National school?—Yes.

1045. What do you wish to state?—I wish to state that I was the principal teacher in the night school at Swords, and I had above seventy pupils, and the majority of them were very illiterate, not far advanced in education. The principal cause of that was they left off the day school too soon, and if they had more inducement to remain on, they would have attended at the day school longer.

1046. Did you find the attendance at the night school fall away—it fell away after two or three years.

Valentine Meyer sworn and examined.

1047. Lord CHANCELLOR.—You are the principal teacher in the Swords borough male school?—Yes.

1048. How long have you been such teacher?—Since October, 1881.

1049. Where were you trained as a teacher?—I was trained in the old establishment in Kildare-place.

1050. What class of boys usually come to your school; what is the position in life of their parents?—Some are gentlemen's servants, such as coachmen or gamekeepers; some are in receipt of Constabulary pensions, men who have settled here, and others are farmers' sons.

1051. Up to about what age do the children remain in your school?—Up to fourteen years—until after they get their fees; some remain up to fifteen.

1052. Do you consider the chance of getting an apprenticeship fee a very material inducement for keeping the children at school? Supposing you had not apprenticeship fees, do you consider the children would remain so long?—In some cases I think they would.

1053. Not in all?—No.

1054. Rev. Mr. Mulcahy, P.R.—Are you not obliged by the rules of the National Board to keep a record of the attendances?—Yes, I can produce it.

1055. Lord Justice FitzGibbon.—Do you teach any extra subjects beyond the National Board programme?—Euclid; I taught Algebra also.

1056. How many have you under instruction in these subjects?—Six boys.

1057. With what object?—Not specially for any particular examination, but I teach them to advance their intellectual qualities.

1058. Professor Duggan.—Have you had boys going from your school to intermediate schools?—Yes, some. I sent them to an examination in Dublin for the Incorporated Society's school, and five have obtained scholarships in Farns School.

Miss Louise Fallon sworn and examined.

1059. Lord Justice FitzGibbon.—How long have you been teacher of the Borough Female School?—Since June, '76.

1060. Where were you trained as a teacher?—Kildare-place.

1061. Have you got your attendance book?—Yes.

1062. What have been the yearly averages since 1883?—They are entered quarterly, since we went under the Board in the year 1883. I give them in tabular form—

1044. Dr. TRAILL.—It might be a hardship on the girls, but you could not help it!

Rev. Mr. Boyce.—Quite so. Under the rules a fee payable to a boy could not be given to a girl.

Rev. Mr. Mulcahy, P.R.—In reference to the night school, I would ask to have my assistant, Mr. Coleman, examined on that point.

Lord Justice FitzGibbon.—In the night school higher education could be taught without interfering with the National school.

March 4, 1888.

Miss Catherine Abern.

John Coleman.

1048. And it was discontinued then?—Yes.

1049. The instruction given at the night school would be given at the ordinary day school if they could attend?—They would not attend the night school if they had an inducement to attend the day school.

1050. Was the night school attended by young men who were over the ordinary school age?—Yes. It was attended by boys from fourteen to twenty-three. They were principally farmers' sons and labourers.

1051. Dr. TRAILL.—They left the day school to work in the fields, and came to the night school afterwards when the night school was opened?—Yes.

1064. From Farns school they can go on to Trinity College and Santry?—One boy who was here obtained by competition a scholarship in Santry school last June, 1885.

1065. Rev. Mr. Mulcahy.—How many boys from Santry have you attending your school?—Two. One only comes two or three days in the week.

1066. How many boys have you from outside the borough of Swords on the rail?—Four boys from the direction of Donabate and two from Santry. They have not been coming very long.

1067. What are the names of these boys?—James Smith, Andrew Smith, Albert Dagg, James Woods, John Beattie, and Thomas Beattie.

1068. Rev. Mr. Mulcahy.—James Smith, Andrew Smith, John Beattie, these are from Donabate; Albert Dagg and Elizabeth Dagg from the Top; James, Eliza, Nellie and William Woods, from the Beattie. There are also Edward Thompson's sons children?

Witness.—These go to the infants' school.

1069. Lord CHANCELLOR.—How many more children are there?

Rev. Mr. Mulcahy.—Eight.

1070. Lord Justice FitzGibbon.—Where are these more children from?

Rev. Mr. Mulcahy.—I strongly suspect they are from Dublin.

1071. They are not on the proper rolls; are they union children?

A gentleman present said they were not union children.

1072. Lord CHANCELLOR.—Do you know where the various children are from?

Rev. Mr. Mulcahy.—I do not.

1073. Is there any other question you would wish to ask?

Rev. Mr. Mulcahy.—When the books are produced I would wish to ask some questions.

Year.	People on the Roll.	Average Attendance.
1885, 1st Quarter.	29.2	12.25
" 2nd "	25.6	10.8
" 3rd "	25	10.7
" 4th "	26.5	12.2
1886, 1st "	25.7	11.6
" 2nd "	18	12.5
" 3rd "	17	14.7
" 4th "	23.5	16.1
1887, 1st "	14.4	13.4
" 2nd "	13.2	13.4
" 3rd "	16.5	15.6
" 4th "	17.9	15.8

X 2

Miss Louise Fallon.

March 1, 1888.

The Lord
Chancellor.

1075. Does that include the infants?—No.

1076. These are the pupils in the girls' school only?—Yes.

1077. How many of these girls do not come from the borough?—Three, as far as I can remember, two Woods and a girl named Dagg, who comes from somewhere between this and Bantky.

1078. Do you know what has become of the pupils who have left the school since you came?—Several have been apprenticed.

1079. Where?—Some in Dublin. A few last year were apprenticed here in the town to dressmaking. Two have become trained teachers.

1080. Where have they gone for training?—Mar-

borough-street, before we went into connexion with the Board.

1081. Lord CHANCELLOR.—Are any of the girls in the school now preparing to become teachers?—No.

Rev. Mr. Madden.—There are a number of children coming long distances attending the borough school.

Lord CHANCELLOR.—Seven boys and three girls according to the evidence.

1082. Rev. Dr. MOLLOR (to Miss Fallon).—Have your girls profited much by the apprenticeship?—I think so.

1083. Have you considered whether the money could be employed better in an industrial school in the town?—I don't know as far as the girls are concerned.

Valentine Meyer re-examined.

Valentine
Meyer.

1087. Lord CHANCELLOR.—Do you now produce your official book?—For each quarter I have it.

1088. State the attendance and the number on the roll beginning at 1853?—

	On the Roll.	Attendances.
1853, 1st Quarter, . . .	260	23
" 2nd " . . .	263	24
" 3rd " . . .	267	24
" 4th " . . .	267	22
1854, 1st " . . .	274	24
" 2nd " . . .	281	24
" 3rd " . . .	281	24
" 4th " . . .	282	24
1855, 1st " . . .	28	24
" 2nd " . . .	290	24
" 3rd " . . .	294	24
" 4th " . . .	297	24

1089. Is the teacher of the infant school here?—No, she is only an assistant.

1090. (To Rev. Mr. Boyce).—Can you state how many children are attending the infant school from outside the limits of the borough?

Rev. Mr. Boyce.—Not one outside the two-mile radius. I only speak of the infant school.

1091. Lord Justice FREDGIMAN.—Are there seven pupils in the boys' school who come from outside the limits?

Rev. Canon TWIGG.—There are seven.

Valentine Meyer.—Two Bantky, two Bantky, two Dagg and one Woods.

1092. Lord CHANCELLOR (to Rev. Mr. Boyce).—Where do the seven children come from?

Rev. Mr. Boyce.—Five from the Protestant Orphan Society. They live on the Malahide-road.

1093. And the others?—There are not more than four.

Rev. Mr. Madden.—There are eight.

1094. Dr. TRAILL (to Rev. Mr. Boyce).—The children from the Protestant Orphan Society are the children of Protestant parents?—Yes.

1095. So that the seven children referred to are not from any proselytising institution?—Certainly not.

1096. Lord Justice FREDGIMAN.—You refer to the Protestant Orphan Society in Backville-street?—Yes; and the children are paid for.

1097. Lord Justice FREDGIMAN.—As to the case of Coleman, referred to by one of the witnesses who considered he ought to have got a money fine, I find an entry of it in 1873, and that the examiners reported his answering very inefficient?

Rev. Mr. Boyce.—I can give you his marks in each subject if you like.

Robert W. Griffiths, esq., L.B., sworn and examined.

Robert W.
Griffiths, esq.,
L.B.

1098. Lord Justice FREDGIMAN.—You have been conducting the examinations in this school?—Yes, for nearly twenty years.

1099. You examined both before the examinations were confined to pupils of the borough schools and since?—Yes.

1100. What was the course of procedure?—Principally by printed papers and by viva voce examinations.

1101. Was the examination a separate one for the children from the National school and Borough school?—They were examined together.

1102. Were you and the other examiners made aware to which school the children belonged?—No.

1103. Had you anything to do with awarding the money?—No. I placed the candidates in the order of merit. Thirty per cent. was the rule for obtaining a fee.

1104. Were you able to form an opinion as to the utility of grants of that kind?—I have my own opinion. I think the money might be spent much more advantageously.

1105. In what way?—I would say in technical education.

1106. Teaching handicrafts and trades?—Yes.

1107. State your opinion as to the capacity of the pupils for carrying on their education to a higher

standard?—The girls were decidedly of a higher standard than the boys, the boys as a rule were not calculated to advance to a high class of education. On one or two occasions I met a boy very good at arithmetic; but they never got much beyond writing well, answering in arithmetic, and reading well. The girls came generally to a higher standard.

1108. Did you examine them in nothing except primary education?—Nothing.

1109. Professor DOUGHERTY.—How would you provide technical education?—I have not considered it.

1110. What do you mean by technical education?—Teaching these boys trades and handicrafts.

1111. Lord CHANCELLOR.—As we have already announced we will hold a further sitting in Dublin, and we will then hear all persons interested or who desire to give evidence, and express their views as to the management of the endowment. Rev. Canon TWIGG and Father MALAHY can of course attend, and we will be prepared to hear from either any statement he may think fit to make, as to a proper scheme for the management of the endowment. If they wish to examine any witnesses they will be at liberty to do so. Notice will be given of the day on which that further hearing will take place.

The Commissioners then adjourned.

FRIDAY, 5TH MARCH, 1886.

March 5, 1886.

At the Office, 23, Nassau-street, Dublin.

Present:—Right Hon. the LORD CHANCELLOR, and the Right Hon. Lord Justice FITZGERSON, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., B.Sc., FRANK ANTHONY TRAILL, Esq., M.D., LL.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.R., was in attendance.

THE ROYAL SCHOOLS (adjourned sitting).

1112. Earl Belmore.—There are two additional points to which I wish to draw the attention of the Commissioners. The first is that if you compare the 8th clause of the Act with the corresponding clause, the 5th, of the Bill of last year, you will see that it has been considerably enlarged and amended; that is the clause that relates to transferring investments. When the Bill of 1884 was brought into the House of Lords, in answer to a question put by myself to Lord Cairns, the minister who brought it in, he stated that powers of sale were intended to be given to our board under that clause, but I believe there is now no doubt that the clause as then framed was not wide enough to give us any powers of sale; and you will see that the Act has been altered by the addition of a sort of rider at the end of the clause, which provides that the scheme may authorize any governing body to sell, &c., &c., not alone lands but every other property vested in them, and to give such directions in relation thereto, and for investing the money arising therefrom as the Commissioners shall think fit. Well, when we were framing our scheme a doubt was expressed whether, even with these words, if I may use my own expression, in case of a sale for value by us, the legal estate in the lands could be taken out of us and transferred to another body in such a way as that that body, when they came to make a sale, could make title. I express no opinion

upon that. The other point is, in case you see fit to adopt some entirely different scheme from what we propose, and to keep us merely for the purpose of estate management and sale, whether it would not be well to disregard our recommendation with regard to abolishing the ex-officio Commissioners. I think, in any case, you should abolish the necessity of having an ex-officio Commissioner always present to form a quorum. It means that no meeting is ever called till the secretary has called on the President or Chief Justice to see whether they will come, and that is very inconvenient. But if the position of the board is so altered, I think there will be a difficulty about keeping up a supply of un-official Commissioners, and therefore as long as the lands are there, and some prospect of selling them, I think it would be more prudent not to abolish the ex-officio Commissioners, so that you would always be able to have a body to form a quorum, independent of resignations and of filling up vacancies.

Lord Justice FITZGERSON.—I should hope that whatever duties there would be for the board to perform would interest a sufficiently large number of persons to allow themselves to be members.

Earl Belmore.—I do not think that if the duties were merely to receive the rents and hand them over to another body or make sales, their functions would be considered very important.

The Rev. William McMillen sworn and examined.

Rev. William McMillen.

1113. Dr. Webb, q.c.—Mr. McMillen, you are a Methodist minister, I believe, and a member of the Irish Conference and of the Local Hundred, which, according to Mr. Wesley's constitution, is the governing body of the English and Irish connexion?—Yes.

1114. Now, you are prepared, I am, with some statistics relating to the Methodist Church in Ireland for the information of the Commissioners?—Yes; the ministers are 227; congregations, 433; sitting accommodation provided in the chapels for 77,352; estimated value of church property, exclusive of Wesley College, Dublin, and the Methodist College, Belfast, £345,446, and those congregations are exclusive of about 1,300 preaching places, where our ministers address rural congregations.

1115. I believe one-half of your ministers and congregations are in Ulster, but you have ministers and congregations in every county?—Yes, rather more than one-half of the congregations are in Ulster and about one-half of the ministers.

1116. Lord Justice FITZGERSON.—Do you know exactly or approximately, Mr. McMillen, the number of the Methodist population in Ireland?—Well, I have not the Census returns at hand.

1117. The Lord CHANCELLOR.—It is returned at something between 40,000 and 50,000?—Yes.

1118. Dr. Webb, q.c.—I believe what they estimate themselves is 47,000.

Rev. Dr. MOLLOY.—According to the last Census the Methodists are 46, or somewhat less than one per cent. of the population.

1119. The Lord CHANCELLOR.—I believe the Methodists say that a number of persons who go to

the Methodist churches as places of worship return themselves as belonging to the Episcopalian Church?—Many of them.

1120. Lord Justice FITZGERSON.—The total number of the Methodist population returned in 1881 is 48,320, and of that 18,828, 14,835 are in Ulster—nearly three-fourths?—Yes.—Our estimate is that, taking the south and west of Ireland, our adherents are much more than the return gives, because many in isolated districts are obliged to go to other places of worship and return themselves frequently as members of that body with which they worship.

1121. The Wesley College was founded in 1846, and was then known as the Wesleyan Commercial School?—Yes.

1122. When did it first receive the name of Wesley College?—In 1875 or 1879.

1123. When the present buildings in Stephen's-green were erected?—Yes.

1124. It appears from these statistics that the sum of £23,808 18s. 10d. has been expended upon Wesley College?—Yes, that is, taking it from the beginning, from 1846, when the old Commercial school was first established, which has been merged in the Wesley College, or rather the same has been altered.

1125. Lord Justice FITZGERSON.—That is your total capital expenditure?—Yes.

1126. Dr. Webb, q.c.—And that was all derived from voluntary contributions in Ireland, England, and America?—Yes.

1127. When was the Methodist College, Belfast, opened?—In 1865.

March 5, 1886.
Rev. Wallace
M.P. &c.

1128. The sum expended upon the buildings and outfit is £27,023 10s. 6d. 1—Yes.

1129. And I believe that the subscriptions to its endowment, and the theological department of it, amounted to £20,530 12s. 9d. 1—Yes.

1130. Making altogether £57,554 3s. 1d. 1—Yes.

1131. You have prepared the statistics from 1880 to 1885 inclusive 1—Yes. In 1885 the boarders are 34, day boys 234, ladies' classes 102, and theological students 5. Making a total attendance of 375.

1132. Rev. Dr. MOSEY.—Do the theological students reside with you and attend lectures in the Queen's College 1—They reside with us, but only some of them attend lectures at Queen's College, Belfast.

1133. All these students get their education exclusively at the Methodist College, except the three who go to lectures in the Queen's College 1—Yes.

1134. The Lord CHANCELLOR.—None of the others attend the Queen's College 1—Some of the theological students do attend the Queen's College.

1135. Lord Justice FRINGHAM.—That is the lecture there 1—Yes.

1136. Do any of the boarders or day students 1—No.

1137. Professor DOUGHERTY.—Do you require the theological students to graduate from the Queen's College 1—We do not require them absolutely, but many of them do of their own accord.

1138. Have you any denominational return of the pupils attending the day school 1—No, we have not.

1139. You do not keep a record 1—We do not.

1140. Lord Justice FRINGHAM.—Perhaps I may read, and it will save a little time, the head master, Dr. Parker's return under this head "Number of pupils of each religious denomination. I cannot say exactly; I keep no record of the religious persuasion of pupils. Roughly speaking, about one-third of our pupils are Methodists, and two-thirds Episcopals or Presbyterians. It is denominational, as being established by and under the control of the Methodist Church, but receives for instruction children of various religious denominations without distinction as to educational advantages." Witness.—That is so.

1141. Professor DOUGHERTY.—We may take it that a large number of the day pupils in this most excellent school are Presbyterians 1—Yes, a good many are Presbyterians.

1142. One-third 1—Yes, probably there would be a third; and a good many are Episcopals.

1143. Dr. Webb, Q.C.—In Wesley College, at one time, you had the sons of six or eight of the Fellows and Professors of Trinity College 1—Yes.

1144. Lord Justice FRINGHAM.—For Wesley College we have, under the head of number of pupils of each religious denomination "about one-half Methodists, and the other half made up of Episcopals, Presbyterians, Congregationalists, Brethren, Friends, and Jews—these cannot be stated exactly as we keep no denominational roll."

1145. Dr. Webb, Q.C.—The average attendance at Wesley College, from 1881 to 1885, and in 1885 the day pupils were 163, and the boarders 63, Trinity College 2; and total attendance 226 1—Yes.

1146. And the distinctions gained by pupils of Wesley College from 1879 to 1885, exhibitions, gold and silver medals, modernships, prizes, scholarships, bursars, stints, first place at entrance, and other distinctions, amount to 2131 1—Yes.

1147. Professor DOUGHERTY.—Do you distinguish the honors gained at entrance from the honors gained at a subsequent period 1—Yes.

1148. Dr. Webb, Q.C.—We have in a summary of the distinctions won by pupils of the Methodist College, Belfast, from 1879 to 1885. [Return handed in.] I believe you are officially connected with these two institutions, Mr. McMillen 1—Witness.—Yes, I am a trustee of both, and a member of the managing committee of both.

1149. Have the committee and trustees appointed sub-committee for the purpose of considering the scheme lodged by the Commissioners of Education 1—Yes.

1150. I believe you held meetings in Dublin and in Belfast in the month of January last 1—Yes. Of course we had not that scheme before us in January, but we have given it all the attention we could since it came to our hands.

1151. What are the objections that you entertain to this scheme 1—Well, our first strong objection is, what, of course, you will at once apprehend, that the Methodists are completely ignored in the scheme; we think it does not take a magnifying glass to see us in the country, and that we ought not to be ignored in the preparation of a scheme of that kind, and that it stands self-condemned in ignoring a body that has shown such a zeal for intermediate education.

1152. Do you think that the establishment of these four denominational schools would be a benefit to your two existing institutions, or do you think that your institutions would be heavily handicapped by their establishment 1—We certainly do not think they would benefit our existing institutions, but quite the reverse.

1153. Is it your opinion that the proposed Royal schools, or State schools, would be more successful than their predecessors 1—Well, of course, I can only give my own opinion upon that question, and my own opinion is that the Royal schools and the governing body of the Royal schools have been tried long enough, and they ought now to give place to something that would be more in accordance with the progressive spirit of the times.

1154. You heard the Rev. Dr. Martin's evidence, I think 1—Yes; I heard his evidence, and, so far as my memory serves me, I think there were very few points in the evidence that I would not agree with, or that our committee would not agree with; but we would have the same objection, supposing one of the schools handed over to the Wesleyan body, the same objection that he stated on behalf of the Presbyterians—that of being governed by an outside body, the matter appointed or dismissed by an outside body, as outside body prescribing the form and course of instruction. It would not be to any purpose whatever a Methodist school. We would have that objection, supposing one of these schools given to the Wesleyan body, and denominational as far.

1155. To prevent the endowments from being frittered away by a multitude of applicants and to secure a response, do you think that the schools that should participate in these endowments should not be numerous 1—Well, our view has been that whatever proportion of the endowment is available for distribution by the present Commissioners should be distributed among the denominations which have been taking an active interest in higher school education, and the proportions should be ascertained definitely beforehand. Of course there should be safeguard and provision for the right application and distribution of it, but the application and distribution to particular schools should be, we think, very much left to the denomination having a claim upon that period. I would not at all agree with Dr. Martin's evidence so far as what may be called small schools are concerned. I would not think that every school of that kind should receive part of the fund.

1156. Yes; he stated a minimum. I think his minimum was twenty-five scholars, and that no school with less than twenty-five scholars should participate in this endowment. Do you agree in putting so low a minimum as that 1—I am not quite sure that I exactly understood the answer to that question. The impression upon my mind was that his idea was that this endowment should be spread over a very wide surface and embrace all schools at which Latin, grammar and Greek, and so on, were taught. That is not my idea.

1157. Rev. Dr. MOLLOY.—For example, in reply to a question from me, he stated that he would draw the line at a school having an attendance of not less than twenty-five pupils, but he would not extend the benefit of the endowment lower than that 1—Witness.

—I would be disposed to draw the line very much higher than that.

1168. Almost where would you draw it?—I think that a school having less than 100 in attendance would be scarcely a school of the class that should participate.

1169. Lord Justice FRYGEMAN.—You said, Mr. McMillan, that you desired that the share of each denomination should be left substantially to its own management?—Yes.

1170. But that the proportion should be ascertained definitely beforehand?—Yes.

1171. On what principle would you propose to ascertain the share?—Well, I think you should have reference to the educating work that is being done by each body.

1172. Do you mean the work done in giving higher education in the school or schools?—Yes.

1173. When you speak of definitely ascertaining that beforehand, do you mean that it is to be ascertained for a long period or for any period of years?—I would take a fixed period of a few years, say five or ten, as the case may be.

1174. When you say "fixed," how long would you propose that your ascertainment should continue?—I am scarcely prepared to answer that question. That is a question that we have not had under consideration, and if I were to give an answer to that question it would simply be my own impromptu thought.

1175. Suppose this Commission had been appointed in 1854, and had carried out its work in 1858, I apprehend that the Wesleyan Methodists would not have come in at all under that plan, except for the commercial school in Dublin?—Yes, that is so.

1176. At present you have two institutions standing very high up in the list of large and successful schools in Ireland, I believe?—Yes.

1177. How would you propose to meet the fluctuations in schools under a plan that would definitely ascertain beforehand the shares of the denominations?—Well, of course, it seems reasonable that there should be some method of review at stated periods, and that if any denomination was getting far below its former standing there should be a reconsideration as to the proportions.

1178. Assuming that there must be such a reconsideration, do you see any advantage in your plan of ascertaining definitely beforehand over a plan which would pay for the actual work done, and immediately after it had been done?—We would be quite prepared to fall in with a plan of that kind.

1179. Is there any advantage that you can suggest, in your plan of ascertaining the shares definitely beforehand, over a plan that would pay or divide the endowment among the schools that at the time were doing good work?—Well, one advantage which would appear to me is this, that we would know that we had something to calculate upon. We would know that beforehand, and it might be—take Wesley College for instance—it might be, and would be probably, a nucleus round which other endowments would gather; but there would not be the same encouragement to attract endowments from other sources, from men liberal with their money if you were to leave it an open question to be determined year by year, and which might be determined against us in any year, so that we should get no share at all.

1180. Assuming that it depended upon the amount of work that you actually did yourselves, compared with the work actually done by others, would there be any injustice in your right to the endowment continuing to depend upon your actual work done for it?—Oh no, I cannot say that there would be any injustice at all.

1181. Do you think it would have any advantage in stimulating schools to keep up a higher standard?—Yes; it might have that advantage no doubt.

1182. Would it be your view that the possession of a certain endowment, such for example as a certain salary for the master, would have the effect—has it not had the effect of depriving schools of a stimulus and

leaving them fall away?—Well, we never found any want of stimulus in our masters, though I dare say the Intermediate prizes and matters of that kind have had the effect of stimulating the masters; and probably the plan you now suggest would have a similar effect.

1183. What is the status of your masters—how are they engaged?—They are engaged during the pleasure of the committee.

1184. Is there any arrangement for giving them a representation allowance or pensioning them off?—No.

1185. Do you find that their efficiency is impaired by the fact of their holding office during pleasure?—No, we have not found it so. In fact our masters have continued with us for a very long time; there have been some who were very sorry to leave, but they got better appointments, and we could not keep them.

1186. Dr. Webb, Q.C.—How long is the master of Wesley College there?—Oh, a large number of years, but one of the first masters of Wesley College is now head master of Wesley College, Sheffield, one of our best English schools.—Dr. Shaw.

1187. He has been there for twenty years?—Oh, far more.

1188. Then you do not find that the master loses his qualities and efficiency by age?—No.

1189. Rev. Dr. MONAGHAN.—Do you think that your body would be satisfied with a system of administering this endowment, as a whole, in such a way that each denomination would get a proportion determined by the actual work done from year to year?—I should think so.

1190. But you would prefer a system in which the fund would be divided once for all, and the portion allotted to each denomination handed over to a body within that denomination for administration?—Yes.

1191. Have you considered the difficulty that would arise in that latter case with regard to certain denominations, smaller than your own. You will observe that in the scheme which was presented to us by the Presbyterians, they took no account of the Methodists, and now you accept that scheme if the Methodists are included, but there are certain smaller denominations for which it seems to be difficult to make provision in such a division of the fund. Have you considered that?—I must candidly confess that I have seen the difficulty and cannot immediately see my way through it.

1192. Lord Justice FRYGEMAN.—Would you give every sufficiently large school a share of the endowment, fixing the size of the school?—Yes, that would be one way.

1193. Are the benefits of your schools at all restricted to the members of your own Church?—Oh, they are not restricted at all—they are not restricted intentionally.

1194. Is there anything in the principle that you advocate that would prevent a company of private gentlemen of any number of denominations establishing such schools as you have established, and taking a share of the public endowment, provided they did a sufficient amount of work?—No.

1195. Rev. Dr. MONAGHAN.—Under a system by which the fund would be distributed, from year to year, to each school according to its work, each school would get exactly the share to which it was entitled; but under the other system there would be this difficulty—that for instance the Methodist body would claim proportionately to the number of people coming to their schools, now some of these would be Presbyterians, and these Presbyterians would count in favour of the Methodist schools to which they go; but on the other hand probably the Presbyterians would count these same pupils over again?—I was just going to say that that was both ways, because the Presbyterians would count Methodists in many places in their schools.

1196. Lord Justice FRYGEMAN.—But if we allowed no one to count except on the pupils that he taught, that difficulty would not arise?—No.

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Rev. William McMillan.

Nov. 2, 1896.
Rev. Wallace
McMullen.

1187. And would not the result be that the denomination to which the pupil belonged would get its proper proportion?—I apprehended that Dr. Melloy's question had reference to the actual pupils attending in our schools but not Methodists, and my reply was that that would equally apply on the other side. Many Methodists attend Church of Ireland schools and are counted amongst them. In fact we cannot establish schools all over the country to meet the necessities of the situation, our people are so widely scattered over every county and province; and they go elsewhere, but we do not complain, we do not find fault with that at all.

1188. Professor DOCUMENTY.—I understand you to say that you would prefer an arrangement by which the portion of the endowment coming to each denomination should be ascertained, and the administration of that portion entrusted to a body having the confidence of that particular denomination?—Yes.

1189. That is your preference as representing the Methodists?—Yes.

1190. As to this minimum limit of 100 that you have fixed for the attendance in schools to share in this endowment, I suppose that in fixing this limit you have been speaking from the point of view of the interest of your own denomination, as well as from an educational point of view?—Yes.

1191. And in fixing this limit you have had regard to the fact that your population is to be found for the most part in large towns, and that you have already two very large and excellent institutions, one in Belfast and one in Dublin?—Yes, no doubt we have.

1192. And it is probable, I suppose, that Dr. Martin approving the subject from a different standpoint with a view to the practical interests of the denomination that he represents, was entirely justified in fixing his limit much lower?—From his own standpoint, no doubt.

1193. Lord Justice FRANKLIN.—According to your experience, are there any schools in which a first class grammar education is given that are small?—Well, there are schools that are not very large. Now take Coleraine, during my residence there, there was a good grammar school that was a small one.

1194. But that is a big one?—I do not speak of the present school; but independently of that, I have known a very excellent school where the attendance was not anything like Coleraine.

1195. What is the body that represents the Methodist Church as such?—It is represented in various departments. The educational work of the Methodist Church, that is the Intermediate Educational work, is represented by those two committees.

1196. What is the description of the body, if there be such a body, that would represent the Methodists in the same way that the committee, of which Mr. Martin is the convener, represents the Presbyterians?—Well, we have no separate and special committee appointed for that purpose, but the managing committee of the Methodist colleges and of Wesley college have charge of the interests of education there. They are appointed by the Conference.

1197. The Lord CHANCELLOR.—Is the Conference the governing body?—Yes.

1198. Is there only one Methodist body in Ireland?—The entire Methodist body in Ireland attached to this Conference?—Practically there is only one. There are perhaps about half a dozen congregations in Belfast and the neighbourhood that are attached to other bodies of Methodists.

1199. Professor DOCUMENTY.—They would have no objection to work with you?—No.

1200. Lord Justice FRANKLIN.—How have you managed your property in these two great institutions?—It is vested in trustees?—It is vested in trustees.

1201. Have you thought of incorporating the body?—Well, I have suggested that to my committee. That was my wish from the first, but we are not quite agreed upon that point.

1202. The Lord CHANCELLOR.—Have you made

any calculation as to what is the exact proportion which you think your body ought to receive—supposing that we had the fund ascertained for division, say £4,000 a year?—Well, I would hardly like to state that question.

1203. Have you thought of it?—Well, I have thought of it, but I can only give my own opinion. I have thought that if we got £100 a year to subsidise both institutions it would be fine.

1204. Lord Justice FRANKLIN.—You observe that your population is one per cent. of the population of Ireland as appears by the Census. I presume you see that your share would be £40 instead of £100 upon that basis?—Yes, but that would not be a fair basis of calculation; you should have respect to the educational work done.

1205. Would you be satisfied with a basis of calculation in which the total number of boys receiving higher education in Ireland would be divided by the number of boys receiving that education in your schools?—Well, I suppose we could hardly go beyond that.

1206. Professor DOCUMENTY.—Have you thought whether it would be a useful application of any portion of this fund to provide exhibitions for promising boys in primary schools in localities where no provision for intermediate education exists that would enable them to attend such schools as yours in Belfast?—No; the question did not occur to me at all.

1207. Can you give an opinion upon that point?—Well, looking at it from our own standpoint, I do not know that there would be very much advantage in that—looking at it simply from my own standpoint, considering the position of our own people.

1208. They lacking I suppose mostly to the upper middle class, and have no difficulty in providing higher education for their children?—In the south and west they do, but not in the north.

1209. Looking to the small proportion of Ultramontane among the Methodists I should say that you have very few of the working class population in the Methodist body?—We have a large number in the north.

1210. Lord Justice FRANKLIN.—If your proposition can be ascertained, would you think it wise that it should be distributed before hand according to a scheme that would make it applicable to exhibitors whole or in part, or that all should be left to the governing body that represented your share?—We should prefer to leave it to the governing body, but we should have no very strong objection to its going to exhibitors. We think a portion should go to keeping the buildings in repair.

1211. Professor DOCUMENTY.—Not exhibitions during a University course, but exhibitions tenable at a higher school—school exhibitions?—Exhibitions to be obtained on examination so as to qualify a boy for admission to the higher school.

1212. And to provide for his maintenance while there?—Yes, we would have no objection to that.

1213. Mr. Orr, Q.C.—Assuming that large schools were established on the basis proposed, two being Protestant, do you see any objection to the Methodist boys attending them?—Oh, no; no objection on principle.

1214. Especially as day-boys in the neighbourhood?—Yes, as day-boys in the neighbourhood.

1215. You would not think it any drawback to your system that your boys were attending a school the head master of which was a member of the Irish Church?—Oh, they have done so.

1216. They have done so in the past?—Yes.

1217. Without any harm to themselves?—And it would be no harm to boys belonging to the Irish Church to attend Methodist schools.

Mr. Orr.—Well, I understand they do! Without?—We should give and take.

The Lord CHANCELLOR, addressing the Rev. William Dillany, said:—We are now prepared to hear any statement that you or any other of the gentlemen representing the Catholic head masters think fit

to make, as to what you may consider the best and most equitable mode of administering this endowment and any other evidence that you or any of the other gentlemen are prepared to give. I do not know whether you have made any arrangement amongst yourselves as to who should commence.

Rev. Father Delany.—They have degraded me to commence.

The Lord CHANCELLOR.—I suppose in the first place you would wish to make a statement to us as to the views which you intend to put before us.

Rev. Father Delany.—What I wish at first to state is that I do not appear with any mandate from the Catholic body to represent them, nor do I appear on behalf of the head masters of Ireland, inasmuch as they have not in conference considered this question yet, but I come from a meeting of the Head Masters' Committee, a certain standing committee which meets occasionally to deal with questions relating to the

operation of the Intermediate Education Act, and which has met within the last few days, and had before it the scheme put forward as to the Royal Schools, and we have come to give evidence regarding that scheme, without expressing an opinion on the general policy of the Commission, or proposing to have a mandate from the Catholic body to lay down general views. But we are persons officially conversant with Catholic education and Catholic educational institutions, and we can therefore, representing so far as we do this Catholic educational committee, give our personal views.

Lord Justice FRYGIE.—Are your committee dealing with intermediate and higher education only, and not with elementary education?

Rev. Father Delany.—With intermediate education only.

The Lord CHANCELLOR.—I think it would be a more convenient course if you were sworn now.

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Rev. William
McMullen.

The Very Rev. William Delany, &c., sworn.

The Very Rev.
William
Delany, &c.

1218. The Witness said.—We had before our head masters' committee the scheme proposed by the Royal Schools Commissioners to the Endowed Schools Commissioners with regard to the application of the funds under their control, and we have considered the suggestions they made, and inasmuch as those suggestions refer to a proposed distribution in which a part is given to Catholics, we have come to make representations immediately, and especially on that point. We welcome the recognition by the Endowed Schools Commissioners of what seemed to us to be a true principle, that these funds are funds intended for the general education of the general population, and that they ought not to be confined exclusively to any one denomination.

1219. The Lord CHANCELLOR.—But, as I understand you, to be applied for the purposes of intermediate education?—That they are to be applied solely to intermediate education. And there seems to be also recognised by the board in its suggestions the principle of a proportionate division, which is to be inferred from the fact that they propose that there shall be a division, giving one school to the Episcopalians, one to the Presbyterians, and two to the Catholics. We are not prepared, however, having welcomed the principle, to admit that this suggested division, either as regards proportion, or still less as regards the manner of actually carrying out the allocation of that proportion afterwards, is satisfactory to us. I will deal with those two points separately. With regard to proportion, it strikes us that the only thoroughly satisfactory basis of division will be substantially a division by population, that is, in proportion to the numbers of the several religious denominations; and I shall advance arguments in support of that. I think it may be taken for granted that once any particular denomination ceases to be favoured in any special way, we may conclude that people in the same country under the same circumstances will, before any very considerable time, come to the same level and be actuated with the same spirit as regards educational work. And therefore, I take it for granted that circumstances being equal, the proportion of students that receive intermediate education successfully in each denomination will be in the rough, in proportion to the ratio of that denomination to the general population. That is borne out, as far as the Catholics are concerned in a remarkable way, by an inspection of the Intermediate Board's results. For the purpose of this examination to-day, I have gone over the results, and I have marked with a line under each the names of all students who presented themselves from well-known Catholic institutions. I have not so marked individuals who give a private address or of whose institution I do not know anything, whether it is Catholic or not Catholic, but merely marked what I knew to be well-known Catholic institutions; and going over this entire book I find that the result is

shown to be this, that in the senior grade out of 149 boys, 88 are Catholics.

1220. Rev. Dr. MORTON.—You mean, I suppose, eighty-eight distinctly from Catholic schools?—Yes, subject to that explanation.

1221. There may be other Catholics?—There may be (and I can prove that there are), but I merely speak of well-known Catholic institutions. The other sixty-one are not therefore to be taken as from non-Catholic institutions, because several are individuals who give private addresses, or addresses from institutions that I do not know, but many of whom may be Catholics; eighty-eight come from distinctly Catholic institutions. In the middle grade, out of a total of 493, 292 are from distinctly Catholic institutions, and in the junior grade, out of a total of 1,861, there are 1,321 distinctly Catholic, making a total of 1,611 out of 2,434, or a percentage of 66.27. I again mention that these are students from well-known Catholic institutions, and that the minority of 773 include individuals giving their home addresses, or individuals coming from non-sectarian or private institutions, many of whom may be Catholics; and taking that fact into consideration along with another which I shall now mention to the board, I argue that practically the percentage of the Catholics would be seventy-five per cent. or fully three-fourths of the students. The other consideration which I wish to put before the Commission is this. The Intermediate Education Act has prescribed certain limits of age for the students who are allowed to present themselves, sixteen, seventeen, and eighteen years of age respectively, for the junior, middle, and senior grades. For candidates over these ages and who present themselves in the grades, there is no chance of prize or exhibitions being awarded, and they pay 10s. for the privilege of being examined at all; and therefore there is very little inducement to institutions or to students to present those who are over age. A certain number do, indeed, by the schools in some way or by parents' entreaties, but they have no advantage to gain. The result of the working of these limits of age with regard to a great number of schools in Ireland is this, that they are substantially not represented at all in this book. Some well-known Catholic institutions or seminaries, ecclesiastical seminaries, which though training ecclesiastics in some certain proportion, also in a very large proportion educate boys for lay professions in life—receive pupils coming in many cases from remote country districts, where there are not facilities for local education, and whose parents are not in a position to have domestic instruction given by tutors, and therefore the children are obliged necessarily to be kept at home to a more advanced period, and therefore they come to those seminaries at a time when they are too old to be able to compete within the limits of age prescribed. Thus in Fermoy, out of 112 on the roll, only forty-

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might are within the limits of age; in Arragh, six out of twenty-three; in St. John's, ten out of eighty-four. In Waterford, I believe, there are less than ten out of fifty, and so on for others.

1232. Lord Justice Fitzgerald.—Would you consider that those who are over age have the same claim to a share in any endowment given for education as the younger ones—that the first duty of endowment of any kind should be to take up those who are receiving education at the normal age—I should regard an age limit as perfectly right when the education of a country had been brought to a normal condition, and all the institutions were equally favoured and in working condition. Until that time I think it should be open to have such an average limit of age as would be found suitable to all conditions.

1233. Dr. TRAILL.—Was there not a special allowance made in the Intermediate Education Act; was there not a year allowed at the start?—Never for prizes and exhibitions or venia tona. The limit has remained all through.

1234. Lord Justice Fitzgerald.—Did you check the figures which you have taken from the Intermediate Education returns, by reference to any other mode of calculation?—No.

1235. I suppose you are aware that there is a more considerable proportion in other denominations than among the Catholics of boys receiving higher education, who do not go in for the Intermediate examinations?—I am quite aware that there are a certain number of schools, but these schools, I think I know them, two or three Royal schools, and Mr. Rice's school, St. Columba's, are about the only schools I know of in Ireland.

1236. And you are aware that a large portion of the boys preparing for Trinity College do not go in for the Intermediate course because the classes do not suit?—Yes, but there are, as I have shown, some Catholic institutions whose pupils, I think, may be counted as against those from the schools which prepare pupils entering for Trinity College.

1237. Dr. MONTAGU.—Do you think that the number would be balanced by those preparing in Catholic schools for the Royal University?—Yes.

1238. Lord Justice Fitzgerald.—I direct your attention to the Census table, Table 154, showing by provinces the number of pupils according to religion and sex receiving instruction in Latin, Greek, modern languages, mathematics, and Celtic, respectively, in educational establishments during the week ended 14th May, 1881. I apprehend that any person who is learning either Greek or Latin, or a modern language, or mathematics, in the sense of something higher than arithmetic, is getting intermediate education; the totals would appear to be, of males and females—4,539 Roman Catholics, 3,066 Protestant Episcopalians, 1,140 Presbyterians, 516 Methodists, and 374 of all other denominations. It thus would appear that in 1881 there were 4,539 Catholics to 4,838 of all other denominations, which would be about half—I had not the data before me from which these figures were taken, but here is an Education Directory in which the numbers given are very different indeed.

1239. Lord Justice Fitzgerald.—What are the numbers given there?

1240. The Lord CHANCELLOR.—What book is this? Witness—Ellis's Irish Educational Directory. It is based on that same Census, and the total given here is 18,697, including males and females together, of whom the Roman Catholics are 10,674, Protestant Episcopalians 5,145, Presbyterians 2,045, and Methodists 543.

1241. Lord Justice Fitzgerald.—That table must be taken on some entirely different basis from this Census table, for the numbers are more than double?—Yes, but it refers to the same period, the week ended 14th May, 1881, and it goes into the particulars for Latin, Greek, modern languages, mathematics, and so on.

1242. The total given is not the total of pupils, but

is the total of those learning each subject, so that it would be impossible to tell the number of individuals except by guess work. The largest number are those learning modern languages—I fancy from this that it is taken from the tables, not from some work.

1243. The Lord CHANCELLOR.—This shows that 9,139 Catholics were learning modern languages, 4,134 Protestant Episcopalians, 1,505 Presbyterians, and 401 Methodists—that is about 9,000 as against 9,000. Your view is that the division should be according to the numbers that receive education, and that with regard to the different denominations, those numbers would come ultimately to a ratio the same as that of the population?—Yes, I say that it is practically certain that equal conditions in a country will produce equal results, and that if the same advantages are given to everybody, the ratio of the intermediate pupils will be the ratio of the population, and I bar that out by this fact, that here are the Intermediate education results tested by the Intermediate Education Board, appointed by the State; and taking the proportions of the Catholic pupils who succeed, I find the proportion they bear to the entire number is practically that of Catholics to the entire population, and that practically three-fourths of the pupils who succeeded before this Intermediate Board are Catholics.

1244. Lord Justice Fitzgerald.—The total in Mr. Ellis's book is to a great extent a total of subjects. The nearest approach we can make to it is by reference to the modern languages, and we find 15,823 receiving instruction in modern languages, of whom 9,189 are Catholics, leaving 6,743 of all others. Of course when you speak of society starting equally, and in equal position, you do not apply this to the existing state of education in Ireland?—No; but I take it that what is desired is not to establish a satisfactory thing from year to year, but to give a permanent working system, giving fair play to all alike.

1245. But having regard to the state of our society as we find it, do you think it would be just to allocate an endowment that is properly applicable for higher education only, in proportions in which no account would be taken of the relative numbers of different denominations in those classes of society that are at present likely to take advantage of such education?—No, I should not have been prepared to argue, as I argue now, were it not for what I find in these Intermediate Returns, from which it appears clear to me, that if the money were divided as I am about to recommend, roughly in the ratio of population, the money so divided will increase, among the Catholics who up to the present have not had those advantages—will increase the facilities for education, and therefore the numbers receiving education; and even at present those results prove that at the recent Intermediate Education Examinations, we have furnished three-fourths of the successful candidates.

1246. What is the ratio that you propose?—The ratio of population.

1247. Three to one?—About three-fourths.

1248. Do you consider that a proportion ascertained definitely beforehand is as just or as likely to give satisfaction as a proportion that would be ascertained with reference to actual work done?—I think so, but I think that in the making of the scheme for the further distribution of the money, the lines ought to be so drawn that in the particular denominations, the money will be given for work done, and will not be given without sufficient proof of work done. I am not at all prepared to advocate that the money should be given out to be dealt with without any regulations.

1249. If the work done is to be made the test for distribution of the share of each denomination among the objects to which that denomination chooses to give it, why should not the same principle, in your opinion, be extended to ascertaining what share each denomination is to get?—Because you are at present not in a position to institute a just comparison. You are now dealing with a state of things in which one particular body have had for centuries all the advantages of the

exclusive possession of all the endowments, and therefore it would be unjust to draw the line by which the proportion is to be measured by the test of work done up to the present by those who have had all those advantages, and who can come into the field now armed as against those who have not hitherto had any advantages.

1240. Do you think that argument is at all capable of being put from the side of those who are at present in possession of those advantages, having regard to the fact that for centuries they are not responsible at all events for the state of affairs?—Certainly, and therefore with regard to the masters, I am not at all against having due regard to vested interests, where masters have been teaching for a considerable time. I am not asking anything at all with regard to that; but we are dealing with the rights of individual pupils. That is what I shall contend is the main subject of this investigation, the rights of the children of Ireland as present to their just share in the distribution of this fund. I say that the children of no particular denomination have a right to favourable consideration from the fact that the children who preceded them in that particular denomination have enjoyed exclusive privileges to the great detriment of the great bulk of the population.

1241. But putting the case irrespective of religious denomination altogether, do you consider that a child in a position in life in which Latin or Greek or Mathematics is entirely beyond the scope of anything he would require, has any vested right in an endowment for teaching those subjects?—Certainly, I believe that those endowments ought to be so arranged that there would be an opening for boys of ability in the lowest condition in life to make their way to the top.

1242. I put the case of a class of boys who are not going to take education in those higher subjects; do you consider that there is a vested right in those children to be recognized, a right to education which they would never take?—From the possibility of all individuals wanting it, though many at the present moment have it not within their reach. For instance, in the poorer parts there are Catholics, who, if the Catholic body were enabled to allocate the fund in any reasonable proportion, would have facilities brought within their reach.

1243. Your notion is to apply the endowments in the future to balance what has gone wrong in the past?—No, I elude on broad intelligible principles—out of population, that all the children have equal rights. That is one principle, and another is, that people of one denomination ought not to get special advantages now, merely because they have had advantages for centuries. Secondly, that as a matter of fact, notwithstanding the disabilities under which Catholics labour, they have at this instant shown that they are at the present moment furnishing students capable of receiving intermediate education, and of proving that they have received it satisfactorily before the Intermediate Education Board.

1244. But you mix up the two principles in that answer. I accept generally your principle, based on the numbers in the Intermediate Education results, but which principle do you go on—is it the principle of taking the number receiving education in those subjects, or is it the principle of counting all the heads in Ireland?—It is the principle of counting heads, but I support that principle of counting heads by this fact, which appears to me to demonstrate it perfectly that, even under the disadvantages that Catholics labour under, they prove that now the proportion of the students who offer themselves for intermediate education is in the rough equal to the proportion of the population. I think that proves my proposition that the proportion of population is a reasonable and fair proportion to take.

1245. Assuming that those figures in the Intermediate Education returns were not inaccurate, whether would your principle of counting heads be what you would adhere to, or the mode of sharing in proportion to the actual amount of teaching?—The

counting of heads, because I think it is the only one not open to the great objection that we are about to perpetuate advantages because there were advantages in the past.

1246. Professor DOUGHERTY.—You are aware that that observation does not apply to one half of the Protestant population of the country who have been completely left out in the cold with respect to educational endowments?—Certainly, and I am applying this principle on their behalf also.

1247. Dr. TRAILL.—Of course we are all agreed on the principle that every advantage of education high or low in a country should be within the reach of the poorest person in the country; but do you think, as a matter of fact, that in the prospects of the country for the future, in which a vast amount of people are engaged in agriculture, there can be by any possibility such a number of clever boys to start out of the general population as would make it desirable that the entire population should be a test of the clever boys?—Certainly, and that gives me precisely the answer I would make to Lord Justice FitzGibbon. A question was put to the preceding witness as to the allocation of scholarships in connection with primary education schools. I believe there is nothing more desirable to be done by this board than to provide some means by which the clever students of the primary schools may have means given to them to go on to intermediate education, and I believe that if such a system is brought into work by the allotment of money to stimulate education in the primary schools, rather than this other scheme which, when we come to the end of it, will be hardly worth all the trouble it will cost—I say if from any funds available scholarships and exhibitions can be obtained in the primary schools of the country, I believe there would be furnished from those primary schools a number of exceedingly brilliant boys perfectly qualified, not merely to receive intermediate education, but to distinguish themselves highly in intermediate education, and many of them to go on to university education, and I am speaking with a knowledge of such results having already been obtained. And that bears out my proposition, because no other but a *per capita* proportion will take into account those clever boys scattered all over the country.

1248. Dr. TRAILL.—We are all agreed about the clever boys, but the question is, will there be such a great number of clever boys in a population most of whom are engaged in agricultural pursuits as to be in proportion to the population generally?—My experience is that the proportion of clever boys is at least equal in the poorer classes to what it is in the rest, and I should rather say that it is greater.

1249. And you think that they would be the boys that it would be of advantage to bring forward?—Yes, my experience is that they work much harder than the others.

1250. Rev. Dr. MOLLOY.—What is the proportion of Catholic boys now receiving intermediate education to the total number of boys receiving intermediate education?—Three-fourths, I should say, in the rough.

1251. Dr. TRAILL.—Do you mean three-fourths of the boys at primary schools?—No, but of all receiving intermediate education, three-fourths, I think, are Catholics.

Dr. TRAILL.—I thought it was the proportion of the Roman Catholic boys to the Roman Catholic population, that Dr. Molloy asked.

1252. Rev. Dr. MOLLOY.—No, but that the proportion of the Roman Catholic boys receiving intermediate education, to all the boys receiving intermediate education in Ireland is 75 per cent. The Catholic schools have hitherto been under great disadvantages as regards intermediate education for want of any endowments?—Yes, certainly.

1253. Do you think that when advantages of that kind are open to them that the number of boys receiving intermediate education in these schools would be very considerably increased?—I think so.

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1254. Therefore, in fact, you think that with the statistical data before us, the proportion of Catholic boys that will be receiving intermediate education, after this scheme comes into operation, will be more than 75 per cent.—I do not say very considerably, because I am afraid that the sum to be distributed will be very small in the end.

1255. The Lord CHANCELLOR.—Have you made any calculation of the sum which might be available for the purpose of division as regards the particular case before us. We have had very accurate evidence as to what the amount of the endowment may be. At present, the most that can be made out of it is £4,500 a year, but, considering the changes in the value of land, that is a somewhat high figure. We have had some very valuable evidence as to what the lands would be likely to produce—about £4,500 a year, and if that be the income we shall have to deal with, and that we shall have to provide for vested interests in dealing with it, have you made any calculation of the return I have indicated?—We have no data but the general evidence given before this Commission, and the facts stated by the Endowed Schools Commissioners' Report, and we have only been able to make a rough guess, and we considered that there would be thrown into a common fund along with these Royal Schools whatever other endowments are proved to be public in their nature, and we thought that there might be, perhaps, £2,000 to £10,000 as a maximum—any £5,000 a year.

1256. Lord Justice FRYGROVE.—From endowments public in their nature, or intended for that purpose?—Yes.

1257. The Lord CHANCELLOR.—I take it that your view is that we should first ascertain what would be coming from the other sources and then make a general division of the entire?—Certainly.

1258. Dr. TRAILL.—Have you considered the question of the connection of those funds with Ulster?—The connection of the Royal school funds with Ulster is, of course, local from the fact of the schools and establishments being placed in Ulster. In respect of these I am quite conscious that the gentlemen representing the Catholic Ulster schools would of course very naturally prefer that that particular endowment if left to be dealt with by itself should remain for Ulster alone, but I think that the great bulk of the gentlemen acting with me would prefer that this fund should form a nucleus, round which other funds not exclusively in Ulster should also be gathered, and that the general fund should be generally administered.

1259. But, don't you think that there is a strong claim for Ulster, or at least for those counties in Ulster to which these endowments were originally given, and from which the rentals are actually taken?—I do not see that that argument if pressed home would not apply on the old lines. The fact of the estates being confiscated for education in Ulster, has given to Ulster people an advantage which they have enjoyed for a long time, but there were estates confiscated elsewhere which have not given such advantages; they were given to adventurers altogether, and not reserved for any useful purpose whatever.

1260. Lord Justice FRYGROVE.—Does it occur to you that the fact of the tenantry of the estates which constitute the endowment being local does not make it a local endowment for education?—I regard the tenants as exceedingly lucky that they have belonged to such landlords. I am perfectly certain that they are better off than if they were on the estates of gentlemen who received confiscated estates elsewhere. As far as the rents go, if they are compared with the value of the lands, I believe that they will bear a favourable contrast with any other rents in the country.

1261. Professor DOUGHERTY.—If, from any source, adequate provision could be made for the interests of the other three provinces, would you have any particular objection to confining this endowment to the province of Ulster?—If that were done I do not see any advantage in the sequestration of the province. Supposing in the

end £4,000 was available for Ulster, and that from other sources £12,000 was available for the other provinces, I do not see any advantage in the division.

1262. I suppose in these days you would not object to allowing Ulster people to decide that question for themselves locally?—Locally I regard as disadvantageous, and, therefore, in allowing donations in Ulster to settle their own proportions fairly for themselves, I would give them absolute Home Rule, that is to say nominationally, not as locally.

1263. Dr. TRAILL.—Then you would apply the test of population in Ulster?—Yes.

1264. The Lord CHANCELLOR.—You are aware that there are buildings connected with these schools?—Yes.

1265. And one of the suggestions in the scheme is that the buildings at Armagh be handed over to the Episcopalian, and those at Dungannon to the Presbyterian. Now is there any wish on the part of the Catholic body to have any buildings handed over to them, or do you consider that the school accommodation which you have is sufficient for the Catholic element in Ireland?—do you think it advisable to start a new school?—No; I think that the suggestion of starting two new schools for Catholics in Letterkenny and Monaghan is not feasible, and if feasible, not to be recommended on other accounts—not feasible because the sum of money would be so trifling that it would not suffice over for the building of the schools. Suppose there was £3,000 available for Catholics, and that represented £200,000, two good schools could not be built for £200,000, with adequate appointments, and there would be nothing left for the endowment or teaching.

1266. Professor DOUGHERTY.—The sale of the school buildings and of the property immediately adjoining has not been taken into account?—I do not believe that the sale of the school buildings would realize anything at all. As far as we are concerned, what we would be the best thing to do would be to offer these buildings for rental, to offer, for instance, at Armagh the school buildings for rental, and if any denomination should choose to come in and say, "We will give you £200 a year for that school building," give it to them, not at a mortgage, but at a reasonable rate; and get that sum of rental, of reasonable rental, into the general fund. Wherever it could not be sold or let for educational purposes, sell it to the Government or any other public body for public purposes.

1267. The Lord CHANCELLOR.—Suppose you were to divide the total amount available between the different religious bodies, and to fix upon some principle by which the shares could be ascertained, what are your views as to the manner in which the share coming to the Catholic body should be dealt with?—We are quite prepared to accept a scheme under which the financial management would be left to a mixed financial body. We have no objection to that part of it, provided it is an efficient body.

1268. Assuming that the estates were sold and turned into money, and invested in the funds, you are aware then that the business of the managing body would be of a very light character?—Yes.

1269. Supposing that so much money was securities as coming to the Catholic body, would you propose that the money should be handed over, or that it should be retained, and the income paid to you year by year?—The income paid from year to year.

1270. How would you propose to constitute the body to which it should be paid?—It should be paid to an educational body constituted by Catholics.

1271. Lord Justice FRYGROVE.—How would you propose that that should be done?—I am not in a position here to make a suggestion, I mean a representative suggestion. If you ask my own opinion, I would select a number of eminent persons.

1272. We need not specify the number of eminent persons, but can you refer us to the sources where we should get them?—Of course the bishops would be the first persons, and then the Members of Parliament, and then particular individuals, educational

and otherwise. These would be of course; but I can refer to a body that was once constituted as showing what has been done already. When the Catholic University was first instituted there was a mixed board of ecclesiastics and eminent laymen appointed to manage it. Of course, I presume the same thing would be done now.

1273. The Lord CHANCELLOR.—Suppose such a body were constituted, what powers do you propose should be given to them—would you leave them a large discretion as to the application of the income?—I think it would be quite open to institute an educational test; I think there should be an educational test.

1274. Do you mean that it should be divided according to the results in the different schools?—Certainly.

1275. Lord Justice FITZGERALD.—In higher education?—In higher education. I would recommend the allocation of the money subsequently on proved results.

1276. The Lord CHANCELLOR.—And according as the results were established, to pay it over to the managing body of the particular school?—Yes.

1277. Would you leave it open to them to pay it generally for the purposes of every school, or in any particular mode?—I would of course, if the fund were large leave a certain percentage for scholarships, but I confess that in the present state of things, I should prefer that scholarships were arranged for primary schools out of primary funds, and that for intermediate schools, I prefer the system of the Intermediate Education Board.

1278. But would you propose that out of the income of the fund which would be paid over, the fund derived from the sale of the estates, any portion should be required to be set apart for scholarships and exhibitions?—At present on account of the smallness of the sum, I would hardly be prepared to do it, but I would be quite prepared if the sum turned out to be sufficiently large to allow it to be done. The advantage that I would like to secure from this particular endowment—and I think I speak the opinion also of other gentlemen with whom I act—is that of increasing the salaries of teachers. At present the great want felt by the Catholic body is this, that education is so poorly remunerated that it is not worth the while of any man of educational ability to take education as a profession. At the present moment it would be better for a man to be an elementary teacher, a primary teacher in a large school, than to be a man with a University distinction teaching in an intermediate school. There are numbers of men so teaching realising with difficulty from £100 to £150 a year, that is a starvation allowance, and who only think of becoming teachers when they fail at other things. We should like to have this money so allotted that we could give better remuneration. I believe the gentlemen who are acting with me are unanimously and strongly of opinion, that the money should go to the colleges as to enable the colleges to give reasonable salaries.

1279. Lord Justice FITZGERALD.—Having regard to the necessity of paying the salaries of the teachers, and to the amount of the endowment, do you think it would be possible to extend the benefit of the endowment to all the people teaching in all the schools, and if not how would you restrict it?—I do not think it is. I do not think it so wide an application—I am speaking as an individual—as that conducted by the Intermediate Education Board, of indiscriminate results fees, drawing so low a line as to what constitutes a school, namely ten in attendance, I do not think a distribution by results on any such standard as that would at all appreciably improve the position of schools or teachers; the better would be so very thin that it would require a microscope to see it in many places. I think that, therefore, there should be a considerably higher definition required of a school than that of the Intermediate Education Board.

1280. Would you alter that definition by raising

the number of the pupils, or do you think it should be also attained by raising the character of the education given, or both?—I propose to require the two tests, one a test of numbers in attendance, and the second an educational test. As to the numbers in attendance, myself and my colleagues are unanimous that mere numbers in attendance with an inspection perfunctorily carried on would be no satisfactory *bona fide* test; and therefore we should be more satisfied with the application of the test which exists, and which is the only one that can be cheaply carried out, that of the Intermediate Education Board. If the Intermediate Education test were not available, and that a new examination test had to be established, the funds would totally fail. At present the test of the Intermediate Education Board as to languages is easily and cheaply applied, and therefore, we would require that each school should show, along with a certain number in attendance, a certain number who had passed the Intermediate Board in at least two languages of which one should be Latin.

1281. Would you be prepared to extend this higher educational endowment to every pupil, or to all such teachers as had passed pupils in the Intermediate Education Board's examinations, in the sense in which they use the words "pass," namely in arithmetic and languages?—No, we should require pass in at least two languages, one of which should be Latin.

1282. Then you would not extend it to those who learned French and German?—Latin and French, or Latin and German.

1283. You would restrict it to the condition of teaching at least one classical language?—Certainly.

1284. Now can you give an approximately any idea of the limit of numbers you think sufficient to make this endowment appreciable?—I am in this difficulty that I chance to know some most successful schools in Ireland, in which the number in attendance is small because they are in districts that don't furnish a great number of pupils, and they are peculiarly in a condition to furnish large numbers of pupils to pass most successfully in the Intermediate Education examinations. For instance the school of Monaghan, which has been remarkably successful and which has got a very large number in attendance. That makes me a little slow to give a very high number in attendance, and therefore I do not know that I could insist on more than thirty—twenty-five or thirty. Individually myself I would be inclined to go higher but for the fact that Monaghan, and possibly some other schools are in that condition, and I think it essential to encourage schools of that kind.

1285. Do you consider that twenty-five or any such number would be a school that would have work for such a staff of teachers as to give the benefit of this endowment to qualified teachers?—Where the number of pupils is small the number of masters is small as a rule, and therefore a small school of twenty-five would be able to get on with two or three masters. In addition to the twenty-five in attendance I would require, speaking for myself individually, fifteen to have passed the examination in at least two languages.

1286. Dr. TRAILL.—Would it not be difficult to get three masters to cover the number of subjects—it is not so much the whole number of boys as the number of subjects?—Well, I think that the subjects required for *bona fide* education are—classics, mathematics, and modern languages. Classical masters as a rule teach English, and these three masters would cover the school work, one teaching classics and English, one mathematics, and one modern languages. If these three subjects are provided for, the school would work well.

1287. Are you on the whole in favour of dividing this fund so far as each denomination has control of it, amongst a number of schools on the results system, or concentrating it on one?—I am against concentrating it on one.

1288. But would you be against another denomination concentrating it?—No; I am for home rule on that point.

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1288. Suppose another denomination wished to apply it to a big school, would there not be a preliminary expenditure in supplying the plant for such a school out of all proportion to the mere question of the results—supposing the Catholic body were to get three-fourths of the whole endowment, and that the remaining one-fourth were to be distributed among the Protestant denominations, would it be possible for one, let alone two, Protestant denominations to find the plant of a high school—of course if it was to be distributed according to the results the question would be different, but don't you see that the difficulty is that in every school whether the number be fifty or 200, you must first of all find the plant, that is the head master and assistant masters; of course as the boys increase in number the assistant masters will increase, but you must have a certain number of masters whether the number of boys be large or small. Have you considered the difficulty that would arise in the distribution of the fund among the denominations if they wished to have it met in the shape of results fees, but for a high school?—Yes, I have, and my reply is that if those denominations choose to have what I regard as a very great luxury they should pay for their luxury; but I object to their asking for a large sum of money for buildings first, and then when that is done—

1289. Dr. TRAILL.—I did not say buildings—plant.

Witness.—Plant. And then saying "we will share with you the remainder." If that were to be done I am sure the Catholics would like to have six or seven schools planted on that system, and when that is done we will take the cost out and then divide. I think once a denomination has got its due share they should use their own wisdom as to the mode of applying it, and I conclude that the Episcopalian or Presbyterian if they had the sum fixed would take those matters into consideration and perhaps say "we have very fine buildings in Portora or Armagh for the purpose, very valuable and in a beautiful position, and we will rent them from the Commissioners."

1291. Would it not be far shorter in such a case to get rid of all the cumbersome machinery which you propose, and hand over the property to the Intermediate Board, which we have power to do under our Act?—I propose that the working of this should practically to a large extent depend on the Intermediate Board, that the condition of passing a number of pupils and masters of that kind should be arranged by each body, by the Catholic body for us, and by other bodies if they so choose; but we propose that the Intermediate Board should be the testing body.

1292. You would object to our handing it over to the Board to save trouble?—We would, because we are, in some important respects, not quite satisfied with the working of the Intermediate Education Board.

1293. Rev. Dr. MOLLER.—Suppose it should appear when the whole of this fund is realized and made available, that if you were to extend the benefit of it to schools with so small a number of pupils as you mentioned, I think twenty-five or thirty—suppose you were to find that in that case it would be so far sub-divided that the amount coming to each individual school would be hardly sensible in the management of the school, don't you think, that it would be right to restrict it to a smaller number of schools?—Certainly, and that is the reason I say that I presume that the individual bodies dealing with it would consider how it would work, and what conditions they should adopt to secure its greatest efficiency as a help to education.

1294. Then you think the line should be drawn with reference to the amount of money to be allotted?—Certainly.

1295. And would you adopt this principle that the division should be such as to afford substantial aid to those schools which are to share in the endowment?—Certainly.

1296. Dr. TRAILL.—Would you be prepared to apply the same principle to the funds at present distributed by the Intermediate Education Board—that

the £20,000 a year expended by that board should be applied on the same principle as you now propose with respect to this fund?—If the proportion were duly established, I have no objection whatever to that, but at the same time I would then wind up the Intermediate Education Board or re-arrange it.

1297. Or wind it up?—I say I have no objection to that whatever; I should like to see some modification of the Intermediate system.

1298. The reason I asked the question was this, that there are a certain number of schools, such as Armagh, that find it impossible to work under the Intermediate Education Board, not from not being able to prepare their boys for the examinations, but from the fact that it would be necessary to keep not one staff of masters but two, one for Trinity College, say, or the Royal University, and the other for the Intermediate examinations, and they find it impossible to work on these lines. Would it therefore be consistent with your views, that each denomination should get a certain share of all the funds, and be allowed to distribute it as they liked?—I should make no objection to that whatever. It has been said often that the Intermediate system is a skillfully devised system of Catholic school endowment. I wish to say that so far from being a financial help to the schools the effect of the working of the Intermediate Education system has been a large and very heavy loss to all the large schools in the country, the satisfactory working of which under that scheme has required a considerable increase of the staff.

1299. Lord Justice FRINGINGHAM.—That is a large outlay?—Yes, and one that has not been covered by any gain from results fees.

1300. The results fees are practically inappreciable?—Quite inappreciable.

1301. Would you say £700 was quite inappreciable?—No college has got £700.

1302. I think Blackrock College did it?—They might have once got that sum. I know they have got something considerably less, and another school, Tullabeg, with which I have been connected, not half that. I can say that the loss on Tullabeg school has been £400 or £500 a year, of an actual loss.

1303. Professor DOUGHERTY.—And some of the smaller schools crushed out altogether?—Crushed out altogether.

1304. The Lord CHANCELLOR.—Take your minimum school, a school with twenty-five pupils and a couple of teachers, what would be the smallest sum which would be of real use to such a school?—£100.

1305. Do you think any less amount would be of any practical use to such a school?—No; I am speaking my own opinion merely, for some men who have schools would be very glad to get £40 or £50. But speaking from an educational point of view I do not think that you can have the status of teachers appreciably raised with anything less than what would give £40 a year to each of two masters as an additional salary.

1306. Then an endowment of £100 a year would be in your idea the minimum amount that would be of any practical use, from a State source?—Speaking in my own capacity merely as an educationalist, I believe that.

1307. And I believe you say that, as an educationalist having had the management of Tullabeg College, and having had the conduct of education amongst Catholics?—Yes, that is the result of my own experience having had the conduct of education amongst Catholics.

1308. Lord Justice FRINGINGHAM.—I suppose you are aware that it has been represented to us that many people are not satisfied to have the Intermediate Education examinations as a test?—Yes.

1309. I take the girls' results of 1885, and I suppose that as regards the population, the proportions do not vary with sex. I find that out of 250 girls who in the three grades got exhibitions and prizes of any sort, seventy-three were from non-Catholic institutions, and that leaves of the 250, you will observe, but 177 from other places. Now to what, according to your experience

dence, are we to attribute the extraordinary discrepancy between that result, and the result of the boys' examinations?—To the fact that people do not view with approval among Catholics, especially Catholic ecclesiastics who have the direction to a certain extent of the teaching, some of the subjects of the Intermediate Education Board's examinations as suitable for girls' education.

1310. And therefore the girls in the schools of which you approve do not present themselves for intermediate education?—Precisely.

1311. To whatever extent that argument would apply to explain the proportion with regard to girls, would you consider it fair that the same argument should be taken into account with regard to the boys?—Yes; and I have had that matter before me too and tried to find out as well as I could in my dealings with certain masters, what were their objections to the Intermediate Education Board system, and I think they are balanced by the schools that are shut out from competition entirely, Roman Catholic schools where the age limits exclude them.

1312. The Lord Chancellor.—You are aware that the Act contains a provision that every school shall provide for periodical inspection, by an inspector appointed by the Lord Lieutenant; would there be on the part of Catholics, an objection to such an inspection taking place?—Certainly not.

1313. Lord Justice Fitzgerald.—Would there be any real difficulty in such an inspection taking place without extra expense, and instead of examining children head by head and subject by subject, ascertaining what number of children were really being instructed in a properly equipped school by a sufficient staff of masters?—I do not think there would. I think it would be a very fair condition.

1314. Suppose we were able to ascertain the actual number receiving from the masters in a properly equipped school good instruction, would you consider the apportioning of the endowment on the basis of heads counted in that way to be just?—No, there is too much at stake at present, and the conditions are just now unequal. There is too much at stake in the allotment of a large and goodly sum, and therefore I do not know that we would satisfy the public opinion of the country as to the justice of the distribution, although individual persons might act with the very best intentions. If you started with allowing a certain proportion to each denomination, that denomination would of course retain that proportion.

1315. How would you deal with such a case on your principle, as that we have had today from the Methodists. Take it that one of these denominations, though numerically small, established a school with very great success, and was doing extremely good work and large work, not only among the members of its own denomination, but for pupils taken from other denominations also, would you exclude them from anything except a capitation allowance on their own members?—Of course, most unquestionably I would. I think the only line that would do justice to everybody would be to give it by population, for this reason, that once we adopt that rule we then find denominations, even smaller than the Methodists, who might have a sufficient number of people who would, by the expectation of a certain sum being given to them, be induced to establish one central school for their own body, which would not exist if we were merely to take all the existing schools as they are now, and give them the money according to the present attendance.

1316. Then you would have the claims of such a school as the Methodist College, of which we heard today, calculated in proportion, not to the work done in the school, but to the number of Methodists in Ireland, a vast number of the pupils attending it not being Methodists at all, and a very small proportion of the Methodists being pupils?—Quite so; because Presbyterians and Episcopalians would be attending Methodist schools in one place and Methodists would

be attending Presbyterian and Episcopal schools in another place. These things would all find their own due level. I think we must go on general principles, not on particular instances; and the fact of a Methodist school doing good work is perhaps not dependent on its being Methodist at all, but on the head master being a clever man.

1317. As I understand, your proposed endowment would be insignificant?—I do not propose giving an endowment to the school. I propose the allotment of the endowment publicly to the Methodist body, not to the number of schools, but to the Methodist body; and therefore the Methodist body will use themselves that if they have only two schools these two schools will get the whole of it, whereas in the case of Catholics with a large number of schools, it would be subdivided, and everyone then would not get as much, and the Methodists would be able to hold a very high level. And therefore, on the general supposition of a £100 a year for a school, as they have only two schools, we might even say £200.

1318. The sub-divisions mentioned in your answer are sub-divisions after the fund has been allotted, and your answer is this—that the amount that the Methodists would have to distribute would depend, not on the number of pupils being taught by them, but on the number of the Methodist population?—Certainly, and therefore I say, to meet your objection as to the Methodist schools getting something insignificant, I say it is nothing of the kind, because their proportion is sufficient, seeing they have only two great schools.

1319. But their claim, according to your theory, has nothing to do with the size of their schools. The Methodists are one-hundredth part of the population of Ireland. Take it that the entire amount is £5,000, they will get £50 out of the £5,000 according to your theory, and although they only receive £50 out of £5,000, they are in fact teaching in their two schools three times as many as the six Royal schools put together?—Certainly.

1320. Then, while one of the Royal schools would be altogether available for Church people and one school would be given to the Presbyterians for themselves, the Methodists would have £50 for doing six times the work, and could never raise it or lower it whether their schools had fifty pupils or 1,500?—At the present time the success of the Methodist schools is not realized by Methodist pupils; it is realized by two kinds of their pupils, who are not Methodists but Presbyterians and other Protestant denominations, and if the Presbyterians had their due proportion of the fund given to them the probability is that in a great city like Dublin the Presbyterians would have a successful school, to which the Presbyterians, with the natural feeling of people in favour of schools conducted by masters of their own denomination, would go, and therefore a certain number of Presbyterians who are now winning distinction for the Methodists would then win distinction for schools of their own persuasion, and that would reduce ultimately the Methodist schools to the proportion of the population. I think that will work itself out in the end, and that the schools of each denomination will in the end be in proportion to its numbers.

1321. Are not several of your diocesan colleges, which are the only good schools in the neighbourhood, attracting a considerable number of pupils from other denominations?—No.

1322. Have you any?—Hardly.

1323. At Fermoy, for instance?

Dr. Huxley.—We have some.

1324. Where the line of denominational distinction is not so strongly marked, as in this case, do you think it fair that the Methodist college when it attracts Episcopalians and Presbyterians, because it is a good school, should get no additional endowment on that account?

Father Delany.—No, but I object to the accident of a moment regulating a great principle. It is due to the accident of the moment, partly to the existence of

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an exceptionally brilliant staff, and partly to the fact that the Presbyterians who are attending it have not a similar school of their own.

1325. Does not your point exactly illustrate my difficulty. You are going to crystallise the accident of a moment in drawing a perpetual line of endowment?—No, I say, on the contrary, the perpetual line will be the line which are drawn by the proportion of the denominations, because I believe that given the same circumstances the success in the teaching of denominations will be in proportion to their numbers. That seems to me to be borne out by the facts of the Intermediate education results and by what we can estimate from the principle of mankind seeking their own interest. Given equal circumstances for each denomination, then a certain proportion of each denomination will go in for Intermediate education, and one year with another their success will be the same. For instance, as we know in the case of the Royal schools this has been illustrated. Portora, formerly a brilliant school, has, recently, not been very successful, and Armagh, on the other hand, which was very low some years ago, now stands very high. It would not be prudent, therefore, to take as a basis of permanent distribution a temporary success which is liable to fluctuation. One year it is Armagh and another Portora. There may be in the next few years a very brilliant Presbyterian school established in Stephen's green or the neighbourhood which would draw away so many pupils from the Methodist school that the Methodist school would fall away, or it might be that many of the pupils who are now going there, would go to the high school in Harcourt-street.

1326. Dr. TRAVERS.—What is the amount of population of any denomination that you would give any endowment to at all—1,000 or 2,000, or whatever would give a school population able to maintain a school.

1327. Lord Justice Fitzgerald.—Take the High School and Wesley College. Assuming that each of them, as at present we believe they are, is thoroughly successful, with the same number of pupils in each 300, and that they get an endowment of £300 a piece, if in the course of time one fall off to 100 pupils, and the other rise to 500, would you think it just that the endowment should remain the same?—I am speaking entirely from the Roman Catholic point of view, and from the Roman Catholic point of view I say there would be no such mixture of denominations in our schools as exists there. I am not, of course, going to lay down laws for other denominations, or for their doing things which we should not do at all, but inasmuch as with us the line of denomination sharply marks off the schools, we claim that that is the outline of what would give justice to us. But if the Presbyterians and Methodists and other denominations are so intermingled, it is their own affair to divide the money amongst themselves.

1328. Professor DOUGHERTY.—With regard to your limit for Catholic schools, you say £100 is the smallest endowment you would propose?—Yes.

1329. Would you be disposed, having regard to the small amount of the fund at our disposal, to fix a maximum limit beyond which the endowment should not go?—It would depend entirely on what sum you had available, and if the ultimate sum was too small I would have to reduce even the £100. But of course if you had a large sum it would be different.

1330. But would it not be essential to fix a maximum whatever it might be, in order to prevent the big schools running away with the whole of the endowment?—Oh, yes, I should say so, but before I could say the maximum I would like to know what sum was available, and therefore, how the working of the system would affect the great bulk of the schools.

1331. If you did not fix a maximum limit, you would have the same thing occurring with respect to this fund that is complained of under the Intermediate Education Act—the big schools running away with the lion's share?—As representative of one big school, I must say that that talk of running away

with the lion's share under the Intermediate system, as far as financial results are concerned, is totally unfounded. The big schools having a very much larger expenditure and a great deal larger staff and more complete classification of their pupils, have had a large amount of success in the Intermediate results, and therefore, their pupils have obtained prizes and distinctions in large numbers, but when you come to the question of the financial results and the financial assistance given to the school I say it is altogether in disproportion; I say that the school has lost instead of gained.

1332. Lord Justice Fitzgerald.—That it has been obliged to incur great expenditure?—It has lost money.

1333. Is there any instance in history of an endowment really paying the whole cost of teaching or acting otherwise than as a stimulus, unless you come to schools of purely denominatory character?—I am not complaining now that the endowment does not pay the whole cost of teaching of the schools, but I say that taking the financial condition of the schools before the Intermediate Act, and since the Intermediate Act, that notwithstanding the fact that they are receiving what is supposed to be a large portion of the results fees, their financial condition is considerably worse than before.

1334. That is, that they have spent more in running those results than before?—Certainly.

1335. Dr. TRAVERS.—And therefore the benefits are very much larger than before?—The benefits for the pupils, yes, so far as the system is a good educational system, but several of our large schools are heavily in debt on account of the working of the intermediate education system.

1336. Rev. Dr. MCELROY.—You expressed your opinion that on the whole, you and your colleagues would prefer that the share of the endowment going to the Catholic schools should be handed over one for all to a Catholic body?—Yes.

1337. But if that were not, in the end, found convenient or desirable, you would wish that it should be distributed among the schools in proportion to the work done?—Yes.

1338. Should you be content with inspection alone, or should you wish to have inspection and examination?—Inspection and examination. We should not be content at all with inspection alone.

1339. If we could not with the funds at our disposal provide for an independent examination, should you be content to take the examination of the Intermediate Education Board?—Yes.

1340. Why do you consider it desirable to take these examinations into account, as well as the report of an Inspector?—Because the Intermediate Education Board being a central board, a State board, unconnected with any sectional interests, occupies an impartial position, and has the general confidence of the people of the country and is independent of all denominational bias, and also because its recommendations being compulsory, guided by its standard, give an educational test of the success of pupils, whereas the mere report of an Inspector reporting on an occasional visit to the schools would not guarantee an educational test of the same efficiency.

1341. Some persons have given evidence that they would be content with the report of an Inspector who would report, estimate the numbers present in the school, and secondly as to the character of the education given. Should you consider such reports of inspectors quite satisfactory as a basis for the distribution of this fund?—No; for two reasons. One is that if the number of students in attendance in schools in towns were allowed to weigh, uncontrolled by a strict educational test, it would be very much open to abuse. If £100, or any such sum to be given to a school were to depend upon the numbers and not on the actual teaching, a teacher would have nothing to do but to get a number of merely fictitious students put on his list and get them to come in for the purpose of the inspection, and therefore I say that unless the number in attendance

is controlled by a strict educational test this abuse might exist. And secondly, I say a strict educational test cannot be applied by a mere visit of an inspector.

1342. Lord Justice Fitzgerald.—Do I understand you to say that although you are willing to take the Intermediate Examination results as a test, you would not be willing also that the Catholic body that had the distribution of the Catholic share of the money, should be bound to distribute that when they got it according to the Intermediate results?—Yes, I should.

1343. Then you would let in all the schools, big and little?—I stated before that we would be in favour of making a classification by numbers in attendance, and passing examinations.

1344. You are willing to take the Intermediate results as being a test of what the teaching in the Catholic schools as a whole is?—Yes.

1345. But after you have ascertained the teaching as a whole according to the Intermediate results system you—speaking as an individual—would not think that that should be the basis of the distribution of the Roman Catholic share?—Subject to such conditions as would ensure that it was a bona fide school with a reasonable number of pupils in attendance.

1346. And fixed at such a level as to make it worth while to get an approvable share?—Yes.

1347. Mr. Orr, Q.C.—You take the results of the Intermediate Education examinations?—Yes.

1348. And you leave out all schools which do not go in for these examinations?—Yes.

1349. And have all the schools of the country affiliated themselves to the Intermediate system?—No, but a very considerable number.

1350. How many Protestant schools are there that have not affiliated themselves?—As far as I know there are only six or eight.

1351. What are those?—Well, Armagh which has gone back from it; St. Columba's, the Royal Academic Institution, Belfast. I am not quite sure to what extent. I do not know whether they have withdrawn recently. The Royal schools have substantially disappeared, but I give as a reason for their disappearance that they have failed, for they have not had pupils. They make up the only schools that I know.

1352. Then if the Royal schools were abolished in all Ireland there would be nothing remaining but St. Columba's practically?—Yes, practically.

1353. Is that a school or theological college?—I am not in a position to say.

1354. You would accept as an educational test the test of the examinations of the Intermediate Board?—Yes. However, with this particular endowment on account of the peculiar conditions of the Catholic colleges we would require a modification of the age conditions, and of the conditions defining a school. Those two things are the only things we suggest.

1355. Dr. TRAILL.—Is it to increase the age?—Yes, to eighteen, nineteen, and twenty—a classification for this purpose alone.

1356. Lord Justice Fitzgerald.—If you extend the age to eighteen, nineteen, and twenty, how would you apply the Intermediate test?—They would go up for it of course.

1357. They could not?—Witness—Eighteen junior, nineteen middle, twenty senior, they did allow that for a year. They do at the present time allow them to go up at seventeen, eighteen, and nineteen; and therefore the principle is at the present time in operation.

1358. But no boy over nineteen can present himself at all at present?—That is quite true, and, therefore, I suggested the limit of age should be eighteen, nineteen, and twenty, and that the candidate's name should be marked so as to show that it was only for the purpose of this particular endowment that he is permitted to compete. The Intermediate Board would put them on the list and would certify that "so many

candidates have passed in two languages from such and such schools."

1359. Mr. Orr, Q.C.—You suggest that the Intermediate system should be the test for the whole country, and that according as that was good or bad, the whole education of the country would be good or bad?—We do not express any satisfaction by any means with the Intermediate Education Board or its government, and we should be perfectly satisfied to have amendments both in the constitution of the governing board and in its system; and therefore we do not mean that the Intermediate system is perfection now, but that its machinery is fairly machinery to work, and saves the expense of separate examinations. It has defects, no doubt, but we hope to see them remedied.

1360. Dr. TRAILL.—Don't you think that the ages eighteen, nineteen, and twenty would be the university rather than school ages?—I hope they would entirely after ten or fifteen years. I trust that when the education of the country would be in the proper condition the original limits of age might be reverted to. At present the education of the country is not in a satisfactory condition so far as the Catholics are concerned, and, labouring under the disadvantage they do in scattered districts, many of them can only begin very late, when they are already beyond the limits of age.

1361. After how many years would you bring them back to what we might call school as distinguished from university age?—That would be found from the working of the system. I infer from the working of the Intermediate system that the result would be arrived at in to very long time.

1362. The Lord CHANCELLOR.—You are aware that one of the matters in contemplation when this Act was passing through Parliament was the question of extending the benefit of the endowments to both sexes. Do you think that it would be possible to make any provision for girls' schools out of this £4,000 a year?—Well, I think that if the girls were admitted from such a very large number of schools the endowment would be frittered away; and, secondly, I do not see that we are at present within a short distance, or measurable distance, of available common lines for education of girls. At the same time I should be perfectly prepared to admit the justice of the general principle, but I have not had that sufficiently under consideration.

1363. Lord Justice Fitzgerald.—What is the difficulty with regard to the girls at the Intermediate Education examinations?—Partly that the education required by the Intermediate system is not the model system of education, which we should like to see our Catholic girls trained up in.

1364. Is it that the subjects are not wide enough, or too wide, or what?—Well, we prefer to give greater importance to what I would call domestic training, and to some subjects which do not have due importance in the scheme of the Intermediate Education Board. I think there has been an improvement recently, and I think that the tendency of the Board has been to take into account the views of Catholics on this question. But there is another section of the population who, acting on their own judgment, and, of course with a perfect right to their own judgment, who like to have the same examinations for boys and girls; but I should say that the great bulk of the people of the Catholic Church do not like this common education for boys and girls, and they do not think the same education and the same subjects are quite applicable. I am only speaking conjecturally, for the Catholic educational body have not formally considered the subject.

1365. Dr. TRAILL.—Have not the Intermediate Board recently deprived girls of the power of taking up Greek?—I am not in a position to say; I have not worked the question up.

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1366. The Lord CHANCELLOR.—You are head of St. Colman's College, Fernoy, and one of the Committee of Catholic Endowments?—Yes.

1367. In addition to what Father Delany told us, we would be very glad to hear what your views are as to the application of the endowment arising from the Royal schools?—Well, I may say first, that having heard Father Delany's evidence, I agree with it in the main; and first, as to the allocation of the fund, whether it should be given to one denomination, divided among the different denominations, or thrown into one bulk sum to be computed for; I should say that we would prefer that it should be given to the different denominations, provided that the Catholics get the proportion to which they consider themselves entitled by their numbers. But, however, if the Board were not inclined to give the Catholics such a portion of the sum as they consider themselves fairly entitled to, which would be about three-fourths, then the Catholics would prefer that the entire sum were kept in one bulk and computed for by all the different denominations impartially. As Father Delany said, the machinery of competition might be the Intermediate Board. There would be this advantage, that it would save the cost of a new machinery for examinations; and by raising the age you could bring in a number of Catholics who are at present excluded under the regulations regarding the limit of age.

1368. But if the regulations remain as they are it would not be a satisfactory limit of age to enter for examination?—Certainly not, because it would exclude a very large number of Catholics who would be very anxious to come up, but who are excluded by the limit of age. I will instance my own school. We have at Fernoy, on an average 110 students, or there may be up to 130. We never can enter in the year more than 50 students under the limit of the Intermediate Education Act, yet a number of other students are well qualified to compete if the age is raised, as is proved by the fact that being excluded from the Intermediate system, they compete at the Royal University and pass in very large numbers.

1369. Rev. Dr. MALLON.—Are they getting an Intermediate Education?—Yes.

1370. Dr. TRAILL.—Do you say fifty under eighteen?—I say we cannot in any year enter more than fifty; it is our normal number under eighteen. We have three departments.

1371. Lord Justice FRYGROVES.—Have you a preparatory department?—We have, for boys from eight to thirteen.

1372. These do not in any case go up for examination?—No.

1373. How many have you in the preparatory department?—I think this year we have about twelve, but we put into that class some boys who are a little older, and who are deficient in education.

1374. What is your next class?—Our next class is the Intermediate department, which consists of Junior, Middle, and Senior grade respectively.

1375. Have you any boys coming to you at the age of twelve or thirteen to prepare for that?—at what age do they enter for that?—They enter about thirteen to sixteen—fourteen, fifteen, and sixteen.

1376. What is the number in that department of your school?—The Intermediate department, strictly so called, might be forty-eight or fifty boys. It may be one or two over or under.

1377. What is the third department of your school?—The third department of our school, we call it nominally the university department, but we are not preparing boys for anything beyond matriculation. We have a large number of medical students who matriculate in the Royal University. And we have also boys who do not matriculate, but who read with the other boys, the ages average eighteen, and in some cases where the boys do not wish to go in for the

Intermediate examinations, from seventeen to perhaps twenty-one.

1378. What are the numbers there?—Roughly speaking, one year with another I should say fifty-eight to fifty.

1379. And the boys described are altogether in the University division?—Yes.

1380. Are any of the boys in that division promoted into it from the Intermediate one?—Students are.

1381. And then it would be only those boys who had not entered for the Intermediate examinations in time, or having entered in time were so backward as not to be able to pass the standard of education that would occupy Intermediate results?—Yes, and others also, who for many reasons do not wish to continue the Intermediate Education system. Many medical students having read the middle grade Intermediate, do not choose to go into the senior grade.

1382. Dr. TRAILL.—Then they are not excluded but do not wish to take it?—Not absolutely excluded, but large numbers are absolutely excluded.

1383. Why?—Because they come to about seventeen.

1384. What is the cause of their not coming in time?—Backward boys cannot afford to come in earlier.

1385. The Lord CHANCELLOR.—Suppose a scheme was adopted for the application of these endowments, what would be the best manner in which the money should be spent?—I should say in three ways—first in improving the stipends and position of the master; secondly in providing schools insufficiently equipped for teaching science, with scientific apparatus for teaching chemistry, natural philosophy, and other subjects which cannot at present be satisfactorily taught for want of apparatus. And finally it would be essential that a certain percentage of the fund allotted to the school should be spent in providing scholarships—helps for poor but otherwise deserving students.

1386. Do you mean by providing free places for them?—According as the funds would allow full fee places or part free places.

1387. Professor DOUGHERTY.—In the school or the university?—School exhibitions. I may mention that every year we provide sometimes eight, sometimes nine, as our funds allow, free bursaries for poor and deserving students, and one of these succeeded three years in succession in winning my own exhibition, and then he went to the Royal University and got another exhibition at the Royal University, and that boy was so poor, that he could not pay the money for his board, and now by means of this free scholarship he is reading in the Royal University.

1388. Would you allow a boy holding a minor exhibition who afterwards took an Intermediate one to hold both?—Oh, yes. As you mention school exhibition, we call it so, but it is in reality a free pension.

1389. Dr. TRAILL.—That is keeping him free in the house?—Yes.

1390. Dr. TRAILL.—The exhibition of the school is fact is not money but free keep?—Yes.

1391. Lord Justice FRYGROVES.—What demand is there in Munster, for such education as you give—what other large schools are there in Munster besides St. Colman's?—In Munster there is Rockwell College; there is Ennis, two or three in Limerick, St. Brendan's in Killybeg.

1392. What is in Limerick—an intermediate school?—Yes, Mungret. There is a Jesuit College also in Limerick. And then there is St. Brendan's; and the seminaries in Cork and Waterford.

1393. In Munster at present you have eight or ten considerable schools?—I should say so. I understand you to mean schools connected with Intermediate work, because there are others not connected with Intermediate work.

1394. Is there any practical possibility of establishing another school in Munster?—I do not think so. I believe that if public opinion were to be

when we would rather be of opinion that what we require in Munster is the support of existing schools.

1395. You read the resolution of this Commission of November last—that the endowments should be applied rather to the support of existing and successful schools than to the establishment of new ones—does it commend itself to you as being a wise resolution?—Certainly.

1396. So far as you are aware if a new school were established in Munster under Roman Catholic management—a State school—would it succeed?—I am certain it would not.

1397. Rev. Dr. MOLLOY.—Can you state roughly what it would cost to found a new school as good as yours?—Well, the buildings and appliances of our school have cost up to the present roughly about £35,000. We have a staff of nine masters, and we pay them roughly speaking, £800 a year, but then we board some of them.

1398. Do you include the equipment of your school in the £35,000?—Yes, it would not be under £35,000, but rather over it.

1399. And that is required to build and equip a good school?—Yes.

1400. Dr. TRAILL.—Besides paying for land?—Yes.

1401. Lord Justice FRYGEMAN.—You have got a suitable quantity of land?—No, unfortunately; only four acres.

1402. Do you pay rent?—Yes, over £20 a year.

1403. The Lord CHANCELLOR.—What staff have you?—Eight masters besides myself, four laymen and four clergymen. All are paid, but four reside in the house, and their salary is not so high as the lay professors, who are non-resident.

1404. Lord Justice FRYGEMAN.—What are the subjects of the education given by the lay teachers?—Principally mathematics.

1405. Are they graduates of a university?—One is a graduate of the Queen's University; another is a first class National teacher, who was trained at Marlborough-street; and the two others are men who have been engaged a long time in teaching.

1406. Then your staff of masters costs you something about £1,000 a year, allowing a reasonable sum for those who are boarded?—Well, I should say about that.

1407. Besides the £35,000. What are the objects in life of the boys that go from your place?—Well, a large number of them are candidates for the ministry of the Catholic Church.

1408. About what proportion?—Well, it is hard to tell, because they do not fix their object in life till they come to a certain age. At the present moment I have perhaps twenty-five or thirty who are certainly intending to become Catholic priests.

1409. Rev. Dr. MOLLOY.—It would be more satisfactory if you could state generally what proportion usually go on for the Church?—Well, my twenty to twenty-five per cent. are going to the ministry.

1410. Lord Justice FRYGEMAN.—What becomes of the rest?—Some go to solicitorships and the medical profession, some go to mercantile business, and some go to farming.

1411. And about what proportion per cent. go on to university education?—I must explain. Owing to our peculiar relations with regard to universities, the only university that we acknowledge, at least openly, is the Royal University. Numbers of our boys go to the Queen's College, but not with our consent; on the contrary, against our express wish. We know they go, despite all our endeavours to keep them from it.

1412. But that fact will help to answer my question. What is the per-centage of the boys that you require to train for the university service?—Exclusive of those who go for the ministry of the Catholic Church?

1413. Yes. I suppose they go to Maynooth at once?—Yes. It is hard to answer a question like that without thinking; but making a rough guess, I should say ten to fifteen per cent.

1414. Would you consider it satisfactory to allow an endowment for this higher class of boys, who actually went in for learning Latin and a foreign language in addition to English?—Certainly.

1415. And would you have a sufficient proportion of boys in your school wishing to have both a Latin and English education, so as to make the endowment applicable to a large number?—I can always have a large number.

1416. Dr. TRAILL.—How many?—Oh, I should think forty or fifty, or more. One of the reasons why Latin should be made compulsory, I think is this, that if you do not make some limitation to that effect, you will have such a number of small schools that are intermediate schools competing for this fund that the money will be frittered away to the narrow fraction.

1417. What test would you lay down to ascertain the class of education received by those who should share in the endowment?—I agree with Dr. Delany, that there should be partly a numerical and partly an educational test.

1418. I am only on the educational definition now?—I take the one laid down by Father Delany, that the school should contain not less than twenty-five pupils, and that six or eight should be certified to have passed each year in Latin and one other language besides; and the reason I specify languages is, that we take it for granted, that in mathematics the boys will be fairly made up.

1419. Rev. Dr. MOLLOY.—Would you not accept the limitation that Father Delany seemed to accept, that if by extending the benefit of the endowment to all schools having twenty-five pupils, the amount coming to each school would be practically infeasible, you would then draw the line higher up?—Oh yes, I would raise the standard.

1420. What would you consider the smallest amount of endowment that would be really a substantial benefit to a school?—Father Delany said he would put it at about £100?—No doubt £100 would be of advantage, but if you divided £100 among students and masters, it would not improve their condition very much.

1421. Lord Justice FRYGEMAN.—Then you are clear it should not be less than £100?—Oh, not less.

1422. Rev. Dr. MOLLOY.—You would make £100 the minimum?—If a school were so small as to be managed with two masters, I believe that, then, less than £100 would be of benefit to them.

1423. Dr. TRAILL.—How many schools do you think would be likely to avail themselves of this fund?—Taking the standard at twenty-five?

1424. Yes?—I think the vast majority, if not all of our schools.

1425. How many would that be?—I could not say.

1426. Fifty or a hundred?—There is a list of our schools in the Directory. Outside the province I could not say, although I have a fair idea of the schools in the province.

1427. Lord Justice FRYGEMAN.—Can you tell us what is the number of schools in the province of Munster, that are of the same standing as St. Colman's in Fermoy, in both size and mode of teaching—is not there one at Clonfert?—No; there is Bishop Crowe's school at Clonfert, a Protestant school.

1428. The Lord CHANCELLOR.—Is there not the seminary at Cork?—Yes, but it is not a boarding school at present. It is a day school at present.

1429. Is there any other school in the county of Cork, besides your own school and the seminary at Cork?—There is an intermediate school at Sillibereen. It is a day school, but I do not know any particulars about it. It is merely a day school.

1430. Rev. Dr. MOLLOY.—Mr. Hogan's school?—Mr. Hogan's school.

1431. Lord Justice FRYGEMAN.—Mungret is substantially the same as yours?—Yes.

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1432. The Lord CHANCELLOR.—And there is the Jerish College in Limerick, which I think is only a day school?—A day school.

1433. Is there a diocesan school in Limerick now?—No.

1434. And Ennis?—Ennis has a very large school.

1435. Is there any other one in Tipperary besides Rockwell?—An Intermediate school, I think not.

1436. Have not the Trappists one?—No; they are in Waterford, but they do not go in for Intermediate education.

1437. Is there not one at Mount Mollony?—Yes, but they do not go in for the Intermediate system.

1438. Is it an Intermediate school?—Intermediate subjects.

1439. And it is merely for training clergymen?—Not exclusively.

1440. And Waterford?—In the city of Waterford they have a theological college, and also a day school.

1441. Rev. Dr. MOLLON.—I think you said that you agreed with Father Delany, that on the whole, you considered it preferable to have the portion of the fund which would fairly represent the claims of the Catholics, handed over once for all to be administered by a Catholic body?—Provided it were proportionate to their numbers.

1442. Provided it were such as to satisfy the principle of proportion?—Such as to satisfy the principle of proportion.

1443. You have made an estimate yourself of what your claim would be according to that proportion?—I have not gone into the calculation, but I know from Father Delany, how he arrived at the calculation, and I believe it to be accurate.

1444. And it is three-fourths of the whole?—Yes.

1445. And suppose it were decided that you were not to get three-fourths, then I think you said you would prefer that the fund should be administered by a central board, and that the Catholics should be allotted each year their due share estimated according to the educational work done?—Yes.

1446. How would you propose to estimate the educational work done?—By an examining body like the Intermediate Board. But if they were to undertake the work they would require to modify their regulations considerably so as to embrace a very large number of Catholic students now controlled by the State.

1447. Then are you of opinion that if that proposal were adopted, you would be able to get for Catholic schools that three-fourths to which you think you are entitled on the ground of population?—I think so.

1448. Who manages St. Columba's now—who are the managing body?—There is a board to look after the diocese, but the educational business is entirely managed by myself.

1449. We have the report here that the college is managed by a board of seven members, and that the property is vested in trustees?—Yes, we have the same management. The trustees of course are changed from time to time. They drop out by death.

1450. The Lord CHANCELLOR.—Who appoints the trustees?—The bishop.

1451. Are they clergy?—Yes.

1452. Lord Justice FRYGIMON.—Are you aware that it is quite possible for you, if other matters were arranged, to incorporate yourselves?—We should like to do so, provided it did not entail any disadvantage.

1453. Rev. Dr. MOLLON.—Can you form any opinion as to how your board of trustees would be likely to entertain the proposal in the scheme laid before us by the Commissioners, according to which, if your school were to share in this endowment, the whole management of the school should be handed over to a central board in Dublin?—I do not believe our trustees would accept the principle of handing over the management of the school to anybody; but I believe they would be perfectly prepared to allow inspection by the Commissioners if we were to receive share of the fund.

1454. Do you think any large Catholic school in Munster would accept that condition in the scheme of the Commissioners?—I can only speak from my general knowledge of Catholic feeling on the subject, and I do not believe that any one of the Catholic colleges would accept the money as condition of handing themselves over altogether to the management of such a body.

1455. Lord Justice FRYGIMON.—Have you any Protestant pupils in St. Columba's?—At present we have five Protestant pupils in the school, owing to the failure of a Protestant college.

1456. I suppose you accept a conscience clause?—Oh, yes; I require it myself; I make a joint declaration to the parent and to the State.

1457. Is it in accordance with the conscience clause of the Intermediate Board?—Yes.

1458. You have never found any difficulty in satisfying that—our I believe have other people?—No.

1459. Dr. TRAILL.—Are they day boys?—Day boys.

1460. No boarders?—We had a boarder or two at one time.

1461. Mr. O'NEILL.—Do the Roman Catholic gentry send their sons in considerable numbers to be educated in England or in foreign countries?—I am not speaking of my own knowledge, but I believe they do.

1462. Does that arise from the fact that there is no such school as they wish in this country?—I do not believe so at all.

1463. To what do you attribute it?—First to a foolish vanity on the part of a great many parents, who think they will raise the social condition of their children by having it said that they were educated in England, and have obtained an English accent.

1464. Is there in Ireland a Catholic educational institution, such as Oseott or Stonyhurst?—I do believe so.

1465. Lord Justice FRYGIMON.—Was not Oseott College established on the same basis as Stonyhurst and Oseott?—I do not know of my own knowledge, but Father Delany will state.

Rev. Henry Henry, M.P., sworn and examined.

Rev. Henry
Henry, M.P.

1466. The Lord CHANCELLOR.—You are President of St. Malachy's College, Belfast?—Yes.

1467. And one of the committee of the Catholic head masters?—Yes.

1468. We have heard Father Delany's views to-day, and we would be glad that you should state on what points you agree with him or differ from him, and what further facts you have to lay before us, or views to express?—Well, I would make two suggestions. First, if the endowment at the disposal of the Commission be not more than between £3,000 and £4,000, it is my opinion that that endowment should be confined to Ulster alone, and distributed pro rata among the different denominations.

1469. In the province of Ulster?—Yes.

1470. And you would extend that not only to the

correction in which the schools exist, but also to Antrim, and Down?—Yes.

1471. Lord Justice FRYGIMON.—And Donegal?—Yes; throughout all the counties of Ulster.

1472. The Lord CHANCELLOR.—That is all the fund should not exceed £4,000?—Yes. The reason of the would be that the funds were confiscated to establish the endowment of these schools in Ulster, and I would say that the Catholic population should receive the greater part of the endowment, because the Catholic population of Ulster lost their property through the confiscations. I would not say simply that they should get it, because the schools are situated in Ulster, or the property is in Ulster, but because it is a matter of equity to give to the Catholics a sort of compensation for the injury done to them in the past.

by depriving them of their estates, to endow schools to enable those of a different denomination to raise themselves in the social scale. And in reference to that, I would say with regard to a point you put to Dr. Maria yesterday, with respect to Presbyterians attending school being one-third of the school-going population, that that argument is fallacious, even though I admit that the statistics of the Census are accurate, because the fact of the Presbyterian population being in possession of such schools as are well endowed in the North of Ireland, enabled them to raise themselves in the social scale for a number of years past, and thus increases the number of their intermediate school-going boys; not only the endowed schools being in existence there, but also the Queen's College being open to them to receive university education at a very cheap rate, and in conformity with their religious convictions. That is the only point upon which I disagree with Dr. Delany. On the hypothesis that this Commission would have at its disposal £25,000 or £10,000, I should quite willingly accede to all the points put forward by Dr. Delany.

1472. Assuming that the fund comes to be divided, and that the relative proportions of the different religious denominations were maintained, what is your view as to the body that should be constituted to administer it?—I should say that it should be a denominational body, and that any body appointed to administer such a fund for Catholics should be appointed with the full sanction of the bishops of the country, because sometimes it occurs that gentlemen are supposed to represent Catholics on different boards, who do not meet with the approbation of the Catholic community.

1474. Dr. TRAILL.—Would you allow the laymen any power?—That is, if the bishops approved of them.

1475. Lord Justice FRANKLIN.—What is the number attending St. Malachy's?—Altogether we have 250.

1476. Are all receiving intermediate education?—No, we have three classes. We prepare for the Royal University examinations, for the Intermediate examinations, and then we have what is called the preparatory class.

1477. Then your arrangements are the same as at St. Colman's?—Nearly the same, except that the senior boys read three years for the Royal University examinations.

1478. What are the numbers in each of your classes?—Approximately we have between fifty and sixty in the first—the Royal University class.

1479. And then the Intermediate?—About sixty for the Intermediate examinations.

1480. And then the preparatory class?—The preparatory class and boys going on for the Civil Service make up the remainder.

1481. Are they half your school?—Yes.

1482. Dr. TRAILL.—The preparatory has a wider scope, and includes mercantile education?—Yes.

1483. And the age of preparatory teaching is supposed to be under fourteen?—Yes.

1484. Lord Justice FRANKLIN.—What is your teaching staff?—Five teachers and myself in the University School, and the Preparatory School takes four teachers, and then three in the Intermediate School.

1485. Then you have thirteen teachers altogether?—Yes.

1486. What is the cost of your teaching staff, approximately?—About £245—I gave it at the last Commission. I have engaged two men since, but the cost is now substantially the same as in 1880. Perhaps it might be a couple of hundred pounds over.

1487. Have your numbers kept up?—Pretty well.

1488. Dr. TRAILL.—What proportion do you say that the Roman Catholic population in Ulster should receive?—In proportion to the population—about one-half.

1489. I thought you wanted to go not only for distribution on the score of the population pure and

simple, but for compensation for wrongs done to the people by former generations?—People are not in the habit of making restitution unless they are bound to do so.

1490. But it would open a wide door to go into all this question now?—But it gives reason for my stating that Catholics should not have been left out.

1491. You would not object to its being distributed in Ulster provided it was distributed according to population, without those other considerations?—I would not.

1492. Rev. Dr. McCANN.—Your college has been successful at the examinations of the Intermediate Examination Board?—Comparatively successful.

1493. And you have obtained a certain share in the endowments which are administered by that board?—Yes.

1494. Do you find on the whole, that the share which you have received in the form of results fees has done more than cover the additional expense you have been put to in the extension of your staff and the improvement of your teaching system?—It has not covered the extension or near it. We are losing every year for the last two or three years.

1495. So that the action of the Intermediate Education system has involved financial loss to the institution?—Yes.

1496. Among how many institutions would you propose to distribute this fund?—I would distribute it according to the suggestion of Dr. Delany.

1497. In the form of results fees?—By results fees.

1498. Lord Justice FRANKLIN.—Do you agree with the suggestion that the minimum sum should be £100?—I do, but I also say that a maximum sum should be fixed, because there are some large schools that have most efficient masters, drawing good boys to these large schools, and when these good boys are withdrawn, the results remain for the smaller schools, and it is very hard for these schools to keep up their standing. There should be a maximum fund.

1499. Dr. TRAILL.—Would you be in favour of a recommendation that this Commission should hand over the whole income of this fund to the Intermediate Education Commissioners, the property being under the management of a central board?—I am opposed to that.

1500. Are you opposed to the idea of certain schools being kept?—I am.

1501. You are only in favour of results fees?—Results fees only.

1502. Either for passing, or for prizes?—Yes; but I would not go in for paying boys anything.

1503. You would not give them any exhibitions?—I would not. I think it would require all at the disposal of this Commission to enable us to pay our teachers. I might pay, perhaps, over-age boys who have had no opportunity of receiving any exhibitions or prizes from the Intermediate Board.

1504. To boys of what age would you limit it?—Twenty years of age.

1505. Why do you go so high as twenty. Is not that the university age?—Simply because some boys require intermediate education for professions who do not think of commencing their professional studies till very late.

1506. You find the same difficulty as in the north?—The same.

1507. Have you any students going forward to the Church?—Not many. We send only about seven yearly to Theological Colleges.

1508. Lord Justice FRANKLIN.—Are all the pupils paying pupils?—We have those or four that pay nothing, that is to say, the children of parents who have been in good position, but who, owing to circumstances, were not able to pay.

1509. Is it your own voluntary act taking in these, or are you recruited in any way?—Not in any way, except in passing the examinations.

1510. Are these day boys?—Day boys.

1511. On whom does the expense fall?—On the school.

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Rev. Henry Hailey, D.D.

March 6, 1886.

Rev. Henry
Heery, &c.

1512. What is your governing body?—Trustees, the bishop, and three priests.

1513. And do you receive a contribution from several parishes in the diocese: is that the mode in which you meet the expense?—Not for that purpose, but for supporting ecclesiastical students by supplementing their pittance. Instead of the parents paying the whole of the portion the collection in the diocese enables us to assist the parents to pay part of it.

1514. Dr. TRAILL.—Are the whole 250 day boys?—No, 75 are boarders.

1515. Rev. Dr. MOLLAT.—Do you regard the examinations of the Intermediate Education Board as a good test of sound education?—Yes, certainly.

1516. Do you think the operation of that board encourages only flimsy and superficial education?—Quite the contrary, I think it is a most beneficial stimulus.

1517. It was stated here the other day that students are able to get exhibitions under the Intermediate Board by acquiring a superficial knowledge of a large number of subjects, and botany was given as an example?—I have no experience of botany, but I have of natural philosophy and chemistry, and I think it is not so easy to pass in those subjects at all.

1518. Would a superficial knowledge of any subject help a student in any way to get an exhibition?—Not at all, if the examination was properly conducted as it is.

1519. And under the rules of the Intermediate Education Board a student gets no credit whatever unless he scores 50 per cent. of the maximum?—Yes.

1520. Mr. O'K.—With respect to a subject; what is the subject in which the highest credit is given?—Latin and Greek.

1521. Take Latin. Are they examined in the Latin language generally, or in set books?—Set books, and unusual passages as well.

1522. What would the set books be for the junior grade?—Latin—Cæsar, de Bello Gallico; Greek—Xenophon, Anabasis.

1523. Now for the senior?—Latin—Livy and Ovid.

1524. One book of prose, and one book of poetry?—Yes.

1525. You say they are examined in unusual passages also?—Yes.

1526. Plus ouc, or by papers?—By papers.

1527. Latin prose and verse composition?—Yes.

1528. And that is for boys of eighteen?—One book of Livy, one book of Ovid, and some composition.

1529. How many papers in composition?—One in composition.

1530. Dr. TRAILL.—Is it not a complaint against the system that it limits the books within such a small circle that it might be possible for a boy to pass, thoroughly made up in each book, without an adequate knowledge of classics?—I do not think so, as a teacher. I think it is very good for a boy to know accurately two books and to be taught Latin composition well.

1531. Rev. Dr. MOLLAT.—From your experience of the working of the Intermediate Education system if a boy has completed the course of junior, middle, and senior grades, how many Latin and Greek books will he have to read before he finishes his Intermediate education?—Six at least of each language.

1532. Do you think that is a sufficiently extensive range for an intermediate school?—Certainly.

1533. And I suppose you would say that it would be for an university afterwards to give a student an opportunity of extending the range of his reading?—Yes.

1534. Dr. TRAILL.—What are the ages of your boys?—The university boys would be eighteen to thirty years of age.

1535. And what would be the intermediate class?—The intermediate classes preparing for examination this year would be within the limits of age prescribed. A boy in the middle grade may be only twelve or thirteen. A boy of ours who won a senior exhibition last year was only sixteen.

1536. Lord Justice FITZGERALD.—Have you any

experience of the London University examinations?—None whatever.

1537. Lord Justice FITZGERALD.—Father Delany, can you tell us what is the relative standard?

Rev. Mr. Delany.—The matriculation of London is considerably easier than the middle grade of the Intermediate, and the senior grade is considerably more difficult as far as sciences go than the first London University, what is called the Intermediate in Arts of the London University.

1538. That is the examination that would take place after matriculation?—Yes; it is higher. There are only two subsequent examinations in London, one intermediate, and the other final. When Mr. Mack Pollock, an eminent educationist, was consulted before a board that sat on education in England, he recommended that the degree in arts in Oxford should be raised, and that there should be a fourth class in honours added to the then existing classification; and when he was asked what level he should suggest for the fourth class in honours, he suggested the present arts of the London University, that he would be satisfied to have the level of the fourth class in honours in Oxford equal to that obtained in the honours of the first B.A. in London; and I think, having had considerable experience in London, it will be seen at once that the senior grade of the Intermediate is a considerably higher standard than that required by London for the first arts pass.

1539. Professor DOUGHERTY.—Does that description apply to the whole course?—

Rev. Mr. Delany.—I am confining my attention to the point that was raised, that is classics.

Rev. Mr. Heery.—I suspect that a boy who got an exhibition in the middle grade would matriculate in the London. That is only an opinion.

1540. Professor DOUGHERTY.—I am sorry that I was absent when Dr. Heery stated his objection to the Presbyterians getting their fair proportion of the endowment, supposing it were considered an Ulster endowment. I should like to know the ground upon which his objection rests.

Rev. Mr. Heery.—I merely gave as a reason why I held that this endowment of three or four thousand pounds should be confined to Ulster, that if any of the Catholic body had a right in equity to that endowment, I think it is we, the Catholic body of Ulster, whose forefathers' estates were confiscated to establish these schools. I gave it as a reason, not exactly why the Presbyterians should be deprived.

1541. Dr. TRAILL.—I think what Professor Dougherty is referring to in the remark that you made, that it was a fallacious statement of the Presbyterians, that they represented a third of the population, because they had an opportunity of raising themselves, which your population had not.

Rev. Mr. Heery.—That was with regard to Mr. Martin's statement.

1542. Professor DOUGHERTY.—Now, be kind enough to state any advantages with respect to State endowments that the Ulster Presbyterians have enjoyed, and your people have not?—Certainly; numbers. You have had the Queen's College in existence for a number of years, from which we are excluded by consociation objections.

1543. You exclude yourselves?—We are excluded by the laws of our Church. That was decided long ago and settled on.

1544. However, that is higher education, and we are now dealing with endowments available for intermediate education?—Witness—Intermediate education depends on the stimulus given to it by higher education.

1545. But you have a substitute for the Queen's College in the Catholic University?—We have nothing of the kind; for, to have a substitute for the Queen's College in Belfast, we should have the Catholic University in Belfast, not to bring a boy at great expense to Dublin.

1546. Then your argument came to this, that the position of Presbyterians in Ulster, speaking generally,

was of such a character that they were better able to defray the expenses of intermediate education for their children?—Yes.

1547. And you did not mean for a moment to say that they had enjoyed any exceptional advantages with respect to State endowments?—That is an exceptional advantage—that they had the Queen's College.

1548. But we are talking of endowments for intermediate education?—Witness.—But the two are connected.

1549. Don't you know that the Presbyterians were as thoroughly excluded from the State endowments as we are investigating as the Catholics themselves?—Well, I suppose so.

1550. And even more so, if we take into account the whole country, because you have had one Royal School under Catholic management with a Catholic head master?—The reason why I said that the third was fallacious, was that about the encouragement given to the Presbyterian body as having a University in conformity with their convictions.

1551. How does the existence of a university college assist in the provision of intermediate education?—I will take an example. I knew a young man in my own neighbourhood, a farmer's son, whose father could not pay for him in an intermediate school. He

went to the Queen's College, and got his education almost gratis, became a medical man, and he is now able to send his boys to an intermediate school, and they are receiving their education at present at a high class intermediate school.

1552. Dr. TRANE.—Who provided for his intermediate education?—His parents. But he is now in such a position that he is able to send, perhaps, three or four boys to intermediate schools: and what happens in one case has happened all over the north of Ireland. The Presbyterians, by having received a good education from the Queen's College, have got into social position as medical men, professional men, and they are in a position to send their boys to intermediate schools, and these boys swell the intermediate lists, whereas our Catholics, being excluded from these advantages, are in some way for the last thirty years. There is a fallacy, then, in saying that one-third represents the Presbyterian population.

1553. Where is the fallacy, seeing that there is only the most remote connexion between the Queen's College and the promotion of intermediate education?—As far as I can see there is most intimate connexion. I can only say that if we had similar opportunities for the last thirty years we should have had double the number of intermediate boys from Ulster at intermediate schools.

Rev. Patrick Kilgarry, B.A., sworn and examined.

Rev. Patrick Kilgarry, B.A.

1554. The Lord CHANCELLOR.—You are president of St. Jarlath's College, Tuam?—Yes.

1555. And you are one of the committee of Catholic head masters?—Yes.

1556. How long have you been president of St. Jarlath's?—About seven years.

1557. I suppose you were here to-day when Father Delany made a statement, and gave us his evidence?—Yes.

1558. Do you agree in the main with his views?—I agree in the main with the evidence given by Dr. Delany, and his opinion with respect to the distribution of the money that the Catholic body may receive; but I give my opinion, and I believe I am expressing the feeling of the Catholic head masters of Connaught, when I state that an annual sum of even less than £300 would materially help in paying the salaries of the assistant masters in the Catholic schools of that province.

1559. What are the Catholic schools in Connaught?—First, St. Jarlath's College.

1560. Is there a school in Sligo?—There is; it is called Sligo College. There is a school in Galway, St. Ignace's College.

1561. Is there any other Catholic intermediate school in Galway except the Jesuit College?—Yes, the school of the Patrician Monks.

1562. Is that an intermediate school?—It is.

1563. There are two in the town of Galway?—Yes.

1564. Have you an idea of the number of students attending them?—I should say, the Jesuit College, 120.

1565. Are there any boarders?—No.

1566. How many attending the school of the Patrician Brothers?—I cannot say.

1567. It is not as large as the Jesuit College?—It may be for all I know; I cannot give evidence on that point.

1568. And St. Jarlath's College?—That is in Tuam. Then there is the Monks' school at Mount Bellew, and they have some boarders.

1569. You have boarders also at St. Jarlath's?—Yes, we have.

1570. Is there a school at Ballinasloe?—There is an intermediate school at Ballinasloe, and an intermediate school at Loughrea.—Catholic schools I am speaking of.

1571. Outside Galway there are Mount Bellew, Tuam, Ballinasloe, Loughrea; that is four intermediate Catholic schools in the county of Galway?—Yes. Students are prepared by the Monks at Clifton, many of whom passed the intermediate examinations last time.

1572. That is a small school?—It is a primary school.

1573. What schools are there in Mayo?—The Christian Brothers' schools, Ballinacree, prepare students for the intermediate examinations. The Christian Brothers have a school at Westport also, and there is the Diocesan College, Bellefleur.

1574. Does the Diocesan College, Bellefleur, receive boarders?—I am not aware; I do not think it does.

1575. Lord Justice FRYGIE.—What are your own numbers in St. Jarlath's?—Eighty.

1576. Of those how many are boarders?—About seventy-five.

1577. And where do your boarders come from?—Generally from the diocese of Tuam.

1578. How many of the eighty are intended for the ministry?—About one-half the number.

1579. How many annually do you send up to the intermediate examinations?—Very few; the reason is that the over-age limit restricts us materially, for instance, in the present year we are sending in only ten.

1580. And what is your teaching staff?—Six altogether, counting myself.

1581. Are these clergymen or laymen?—There are no laymen. Five are clergymen; and one is an ecclesiastical student who will be after a while ordained.

1582. What is the mode of remuneration of your staff?—The professors live in and are supported by the College, and they get an annual payment from the College.

1583. How much altogether does your staff cost?—About £400.

1584. Dr. TRAILL.—That is besides living?—It is not so much as £400.

1585. The Lord CHANCELLOR.—There used to be a school called Bannaghilly?—That has been closed; it is an industrial school now.

1586. You were saying that as regards schools in Connaught, if they went to get an allowance of less than £100, it would be of material advantage to

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 Schreyer, D.D.

there?—Yes; £50 extra would help in keeping an additional master or help in paying the masters an additional sum, and would help the educational efficiency of the school.

1587. Dr. TRAILL.—How many of these schools are there in Connaught?

1588. The Lord CHANCELLOR.—You mentioned six in Galway, three in Mayo, one in Sligo; that is, ten. Is there one in Leitrim?—I do not know anything about Leitrim.

1589. In your opinion it would be desirable so to draw the line as to allow a school with the smallest attendance to get at least £50 a year?—Not exactly, I did not say "with the smallest attendance." I say it would help to pay the salary and also to maintain the efficiency of the school.

1590. I understood you to say that a school should not be excluded if entitled according to its work to get £50 a year?—Yes.

1591. Lord Justice FRANKLIN.—What would you consider a fair maximum limit of pupils in attendance?—Twenty-five.

1592. And what would you regard as a test of educational efficiency?—If six or seven of the number succeeded in passing the Intermediate Education Examinations annually, I should say that it would be a proof that in that school there was a certain amount of teaching done.

1593. Would you accept the passing of the Intermediate examinations as sufficient?—I should say so.

1594. Dr. DELANY and also Dr. HATCH were very strongly of opinion that they should pass in Latin, and also in one modern language?—Well, I agree in saying that Latin should be included, because Latin I look upon as a very important part of higher education.

1595. How many schools of twenty-five pupils could pass seven boys in Latin at the Intermediate Education Examinations—how many could produce scholars able to do that?—I cannot say that they all do at present, but I think that their educational efficiency would be improved if their resources were increased.

1596. That it could be brought up to enable them to pass six or seven boys in Latin?—Yes.

1597. And you have told us that the £50 would be an appreciable help?—Yes, about that. I say that £50 would materially help in perhaps producing greater efficiency in school. I think I am expressing the opinion and feeling of the other Catholic masters who live in Connaught, when I say that.

1598. Professor DOUGHERTY.—Would you approve of the devoting of some part of this fund to the provision of school exhibitions?—I think so; I think it would be well if some part were devoted to exhibitions for boys who had distinguished themselves in Intermediate schools.

1599. I had rather in view provision for clever boys in primary schools who might desire to carry on their education, but were unable to do so for want of means?—I think that would be an advantage.

1600. The Lord CHANCELLOR.—Do you wish to add anything further?—I assent fully in the evidence given by Dr. DELANY and Dr. HATCH.

1601. Lord Justice FRANKLIN.—Do you concur with Dr. DELANY generally and in reference to Leitrim, with Dr. HATCH in reference to Munster, and with Dr. HENRY in reference to Ulster?—Yes, generally.

1602. Dr. TRAILL.—Do you agree or disagree with Dr. HENRY as to this endowment being an Ulster endowment?—I disagree with him on that point.

1603. Professor DOUGHERTY.—Would you be prepared to treat the Presbyterians in a more liberal way than he suggested?—Oh, certainly, I would be very sorry to deprive any one of their fair share.

1604. You are aware that the suggestion that the Presbyterians should have a third of this fund is on the understanding that it is an Ulster endowment?—Unless there is anything in the Act confining it to Ulster, I think it should not be so confined.

1605. Would it not be a very small thing if spread over the whole country?—Well, a small thing properly administered might produce good results.

1606. Would it not be better to try to make adequate provision from some other source for the other parts of the country, and retain this endowment for the North?—I should think that if a small sum would help to produce educational advantages in a small district, that district should get it, even though a larger sum might produce greater advantages elsewhere.

1607. Dr. TRAILL.—Would not the funds of the Intermediate Board do all you wish?—No; for this fund in addition to the Intermediate would do more than the Intermediate by itself.

1608. Professor DOUGHERTY.—Have you any objection to confining this Royal endowment to Ulster?—I have, every objection.

Lord Justice FRANKLIN.—You lodged two shillings, Mr. O'NEILL. We have hitherto been dealing with the public schools scheme, and it has been considered generally. The remaining one relates to grammar schools exclusively of a local kind. There would be advantages that I can see now in taking up that scheme for the purpose of taking general evidence upon it.

1609. Very Rev. Dean DICKINSON.—I should like to offer a few suggestions on clause 16 of the Royal scheme, and in connection with a great deal that has been said to-day. What occurred to me is that this sum which in the aggregate is supposed to be not more than £400 to be given by way of compensation to the localities from which schools are withdrawn would not be likely to prove a practical compensation for this reason that a small amount would not support superior education in those places. It would be almost without any practical value, I think.

Lord Justice FRANKLIN.—The recommendation as to £400 a year was with a view to subsidise schools for the maintenance of the localities in which the existing schools were to be discontinued. What we are proposing to do now is this. We have been taking general evidence as regards the claims upon these Royal endowments as a whole. It is necessary for us—we are required to do it under the Act—to inquire locally also before we set about the draft of our scheme, and the next step in order will be to hold these local inquiries ourselves, if we can manage it, or possibly the assistant Commissioners, and then draft our own scheme; when that draft is prepared many of these questions may disappear.

1610. Very Rev. Dean DICKINSON.—It also struck me as more profitable for all Ireland, if instead of giving small grants to schools, there was an increase in the number of exhibitions to be competed for from the parts of Ireland which this endowment might be supposed to cover. I remember that when intermediate education was proposed, Lord Spencer, who was then President of the Council, did me the honour to write to me about it, and my view was then that the intermediate system theory was very good, but that the theory was that of a ladder by which boys might climb to the education of the university, but that a couple of the bottom rungs were broken off. And therefore I think that exhibitions for which boys in primary schools might compete so as to pass in from the primary schools in the country to superior, or intermediate, or Royal schools, would be a far greater benefit to the country generally, than the frittering away of all the money in small grants to those schools which would not elevate the schools into superior classical schools, but which might, applied in the other way, draw out promising boys so as to give them a chance of rising.

Mr. O'NEILL.—Before you adopt any scheme in aid of the Intermediate system, I would ask you to read the report of Professor Mahaffy on the schools, page 233 of the report of 1881, and to read what is not at page 257.

TULLYVIN AND BENBAUN SCHOOLS.

March 6, 1886.

Tullyvin and Benbaun Schools.

Mr. George V. Hart.

Mr. George V. Hart (instructed by G. A. McCusker, esq.) appeared for the local trustees of Tullyvin School, who lodged a draft scheme provisionally, and submitted that this school does not come within the Act. By the will of William Wood, the founder, a sum of £4,000 was left in 1803, to establish this school in the county of Cavan, and the entire endowment consists of this money, now in the funds, and the school buildings. The original intention of the testator was one school at Tullyvin, on the estate of Tullyvin. In comparatively recent times an additional school, called Benbaun, was established.

Mr. Hart contended the endowment was exempt, because the founder's intention was to benefit Protestant children, and to give them a Protestant education, while he distinctly required a Protestant master to be employed, which at that time meant a member of the United Church of England and Ireland.

Lord Justice FRYGEMAN.—We cannot exclude it. This endowment is at present vested in the Commissioners of Education, no doubt for the purposes of the will, but they are within the definition of the Act the governing body, and they have the administration of the revenues. As long as they hold the money it must be regulated by some scheme through us, because they clearly are within the statute, and if they are not to hold the money, the only way it can be taken out of them is through a scheme to be settled under this Act. Therefore, in my view of the matter, the settlement of a scheme for Tullyvin would seem to be absolutely necessary. The endowment is vested in the Commissioners by the Act of 1813.

The Lord CHANCELLOR.—Under whose control do you say it was, Mr. Hart?

Mr. Hart.—Under the control of the trustees of the will (Colonel Clements, the Bishop of Kilmore, and the rector of the parish).

The Lord CHANCELLOR.—What are the powers given to the Commissioners by the Act?

Mr. Hart.—A power to visit and inspect a school, and to do anything that was necessary to carry out the intention of the founders, and if anything was going wrong, then they might petition the Court of Chancery, by the 16th section of the Act. So that it is perfectly clear that they are mere visitors and regulators, and to see to the due application of the money.

The Lord CHANCELLOR.—Does not that put them into a different position from being mere bankers?—Under the Act of Parliament they have got power to see to the due application of the money, and to inspect and regulate.

Mr. Hart.—Certainly, they never did that.

Lord Justice FRYGEMAN.—They never did. In many schools they never did, and that is the great complaint against them.

Mr. Hart also pointed out that the scheme sent in by the Commissioners of Education mixed up the endowment of Tullyvin with the Caryfort endowment in the county of Wicklow, and contended that the Tullyvin endowment should be devoted exclusively to Tullyvin and Benbaun, and that the Protestant character of the school should be maintained in accordance with the wish of the founder.

Mr. McDowell re-examined.

Mr. McDowell.

1611. Witness.—The funds of Caryfort are £132 a year, and the income of £895 stock, and some other small savings, suppose we say £50 extra, that is £182 a year, and I do not think that the funds of Tullyvin and Benbaun are so very much more for each school, as there is only one endowment for the two schools, than £280 a year for each.

1612. Lord Justice FRYGEMAN.—What is the gross sum at present belonging to Tullyvin and Benbaun?

Witness.—It is £49,089 5s. in stock. Besides that Tullyvin has got nothing except a debt, so that you have to subtract.

1613. Lord Justice FRYGEMAN.—How do you mean by "except a debt"?—It is indebted to the extent of over £400 by the last return. I will explain. It is indebted to the extent of over £600 to the general account of the Commissioners.

1614. Lord Justice FRYGEMAN.—Where did the Commissioners get the money to lend to Tullyvin?—From all the other endowments under their control, chiefly from the Royal school endowments. Particular endowments are at present kept separate in the accounts of the Commissioners of Education, and from time to time one school would be allowed to draw upon the general fund. Some time ago, in reference to this property of Tullyvin, a suit was instituted by the Bishop of Kilmore against the then Secretary, Mr. Arnold Graves, the object being to get liberty to expend out of their capital a sum of £500, and the greater part of that sum has been spent, along with the costs of the suit, which were very large, on the Benbaun school-house. At that time there was only one school-house, Tullyvin. They wished to build a new school. They got liberty in this suit to do so, and that sum has been sent out of the general fund of the Commissioners, and has not been yet paid back to this fund.

1615. Lord Justice FRYGEMAN.—What was the cost of obtaining that permission?—It was over £200, so after adding that and the portion expended of the £500 together it is at present indebted to the extent

of more than £600. The total is over £600. You have, therefore, to subtract a sum of more than £600 before you arrive at the actual amount of the Tullyvin endowment. The rental of the Caryfort endowment is, I say, £182.

1616. Is not the Caryfort endowment a Royal endowment?—It is a Royal endowment.

1617. It is not a private endowment in any sense?—It is not. It has a rental of £182 from lands, and the income of a sum of £895 stock, which may be approximately valued at £40.

1618. On what principle do you advocate the mingling of a public endowment, partly lands, partly money, but derived from the State, with a private endowment given by a private donor in 1803, for the benefit of the tenants of his own estate of the Protestant possession?—The intention of the scheme is to keep up the two schools of Tullyvin and Benbaun.

1619. And Caryfort, mixed together?—Undoubtedly; and the property seems to be sufficient to keep up those three schools, and also throwing in a small bit of Eyecourt property. The general idea was that there should be one amalgamated fund for all these schools. The actual practice at Tullyvin and Benbaun seemed to be to apply the property there on behalf of all denominations. Whatever was the original intention it is apparently a little doubtful, at all events I take it that it excluded Roman Catholics, but it might, and probably did include everybody else.

1620. Rev. Dr. McILROY.—All denominations of Protestants?—All denominations of Protestants. I think that may be so, and that Roman Catholics were excluded, but, however that may be, the actual practice has been to allow Roman Catholics to receive education there, and to allow everybody to receive education there; and, therefore, it did not seem to the Commissioners of Education advisable now, after such a length of time, to put in an express provision that Roman Catholics or anybody else should be excluded.

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March 2, 1895.
Mr. N'Donell.

1621. Lord Justice FERGUSON.—Here is the evidence. I do not know whether they looked at it or not. "I suppose there is a rule that Roman Catholics will not be present at religious instruction?"—I do not know that there is any rule except the practice. I never saw any written rule, but, generally, when we give religious instruction it is in the last hour or so of the day's work, and the master allows the Roman Catholics to go away." But your idea was, that because the master allowed the Roman Catholics to go away you were justified in adding this endowment to a public school endowment, and opening all three schools to pupils of all denominations?—In opening it to all denominations we considered that we were only acting on the practice at Tullyvin.

1622. The actual practice there was that it was kept up as a Protestant school, although some of the pupils were allowed to go away from religious instruction. Would you think yourself justified in extending the same principle to St. Columba's College, Pottery, where we had it to-day that they have Protestant pupils and give all an equal right to share in the endowment?—The only question was whether or not our Commissioners should put a stigma into the Tullyvin and Benbawn scheme, if they drew one up for these alone, preventing them from allowing Roman Catholics into those schools. I understood that the only question was if they had drawn up a scheme for Tullyvin and Benbawn alone, should it have contained such a clause or been the same as this scheme, with no provision for preventing them from admitting pupils.

1623. Dr. TRAILL.—Surely you were bound to carry out the founder's ideas?—We have them exactly in the same position as before.

1624. You have to carry out the intention of the founder, but in that scheme you would not carry out his intention at all. According to that, having been bound to carry out the intention of the founder up to a certain point, the board would be at liberty to disregard his intention afterwards. Up to the present they have been bound to carry out the spirit of the founder. Witness.—Up to the present they have not been bound.

1625. Professor DOUGHERTY.—You ignore all religious distinctions in this scheme?—We do.

1626. How do you carry out the spirit of the founder if you ignore religious distinctions?—That was done by the Act of Parliament itself.

1627. Lord Justice FERGUSON.—That is an able misapprehension: the Act of Parliament requires you to have regard to the spirit of the founder's intention. I may mention that this scheme does not bind the board in any way to reject the spirit of the founder.

1628. Does not it reject the spirit of the founder by enabling you to send the private Protestant master of Tullyvin, in Carran, to Carrystart, in Wicklow, Carrystart being a Royal school which is open to everybody?—The Board considered that part of the money founder by his will had directed that part of the money might be allocated for children not from the neighbourhood of Tullyvin and Benbawn.

1629. It says children who live too far to walk to school every day?—Therefore they might come from any distance; what matter are we to take?

1630. Dr. TRAILL.—They are described in the will as day boys?—Living too far to receive daily education.

1631. No, but too far to walk. It describes them as persons who were intended to get daily education, but living too far to walk to the school.

Mr. HART.—The estate was five miles long. Professor DOUGHERTY.—The size of the estate throws a good deal of light on this point.

1632. Lord Justice FERGUSON.—The original purpose of the school is for the education of Protestant children by a master who is to keep a public school at or near Tullyvin. The testator provides that the inheritor may nominate one-third whose parents belong to, or are tenants of said estate. And then it says "I authorize my said trustees, if they shall feel it for the advantage and furtherance of such institution to apply a necessary part of the annual interest or profits arising from said estate to obtain and pay for board and lodging at a moderate rate, contingent to each school, for such Protestant children whose parents reside so too distant to allow their daily attendance." Has there ever been at Tullyvin or Benbawn any child whose board and lodging was paid for according to that?—I think you will see if you look at the number in any return that there are boarders at that school.

Rev. Francis
Alexander
Sanders.

Rev. Francis Alexander Sanders sworn and examined.

1633. Mr. HART.—You are rector of the parish in which Tullyvin is situated?—Yes, I am rector of the parish of Killmahoney.

1634. Is Benbawn in the same parish?—It is, and on the same estate.

1635. Can you tell me the size of this estate?—From my house, which is close to the edge of the Tullyvin estate, it is between four and five miles up into wild hills.

1636. Are you able to say when the Benbawn school was opened?—There was a Benbawn school when I arrived there eight years ago, but it was in a hired house, a mud cabin, and Mr. Arnold Graves suggested that we should get a piece of ground and the Commissioners would give the funds to build a new school, and moreover, that if we could get sufficient, that we might get a residence for the Benbawn schoolmaster. There was an old Church Education school close to the church which had ceased in consequence of this school, and the land which was originally Church land, Bishop's land, was given by the Lord Bishop of Kilmore, two acres or one and a half acres, or something of that sort. There was a house there which the Commissioners repaired and made proper for the residence of a master. This house is near the church. It is about a mile or so from the new school-house, and a very nice school-house was built at Benbawn; originally the other was a very fine school-house, built long ago, on the townland of Carravog, on the edge of Tullyvin.

1637. You were the local manager?—I have been always the local manager since I went there.

1638. You examine the boys?—Oh yes, I examine the boys weekly in both schools.

1639. The Lord CHANCELLOR.—What is the average attendance at the two schools?—It is between 110 and 120.

1640. That is the average daily attendance?—That is on the roll. There are upwards of sixty at Tullyvin school, and an average of thirty-five at the other school.

1641. That is on the roll?—No, the average attendance. They are all about 130 roughly.

1642. There is an average attendance of about 100?—There is.

1643. Professor DOUGHERTY.—Eighty-four is the last return from Tullyvin?—On this calculation I counted the evening school.

1644. The Lord CHANCELLOR.—How much do you pay the teachers?—They get about £90 in cash, and then they get £12 in fuel.

1645. Mr. HART.—That is £50 for the male teacher and £30 for the female?—Yes, there are two male teachers and two females.

1646. The Lord CHANCELLOR.—That is £100?—Yes; and then they get £12 for fuel, and £3 each for a servant, and there is no rent, but all taxes are paid. There used to be rent for the Benbawn school, but none is paid for the school-house. All taxes and repairs are paid.

March 4, 1886.
Rev. Francis
Alexander
Sandars.

1647. And is not there some sum over and above these given in prices?—£10 in the upper, and £7 in the lower school are given in prizes.

1648. Do those payments exhaust the entire income of the funds?—The payments are £231 a year, besides taxes, repairs, books, light in the night school, &c.; we also buy a whole stock of books every year.

1649. Lord Justice FRITHGROVE.—Is your education entirely primary?—No, it is not so. A farmer's daughter got one year £30, and another year £20, at the Intermediate examinations.

1650. Then you prepare pupils for the Intermediate examinations?—Yes.

1651. In the neighbourhood of these two schools is there a sufficient supply of children to fill classes for the Intermediate education that you give?—There is, quite.

1652. Mr. Hart.—There is a large Protestant population, very fond of education and very good material.

1653. Lord Justice FRITHGROVE.—How were Roman Catholic children admitted?—I do not know that. It was the same in the time of my predecessor, the Hon. Henry O'Brien, who was rector there.

1654. There are Roman Catholics attending the school now?—There are very few attending the daily school, but in the night school, which is meant to give ordinary education for the labouring classes, who cannot attend the day school, the pupils are nearly all Roman Catholics; they come for a couple of hours in the evening.

1655. Is it that they have been admitted to the benefit of the endowment, or that they have been just allowed to attend and that you have given them the benefit of the education?—Yes. The night school was there when I came and it is there since.

1656. Dr. TRAILL.—You would not consider that act of liberality should be regarded as equivalent to the abandonment of your endowment?—I would consider it the same as if in a Protestant household there might be a Roman Catholic servant.

1657. Have you given religious instruction to all?—No, not to Roman Catholics. They are permitted to go away, and are always sent away before the daily prayers.

1658. Professor DOUGHERTY.—You do not accord the same privilege to the Presbyterian children?—It is not necessary, because they do not want it. They like it.

1659. Have you ever brought a conscience class into operation?—Practically we have.

1660. Dr. TRAILL.—But you never compel any Presbyterians to learn the Church catechism?—When there are Presbyterians we do not make them learn the Church catechism, but they like to learn the Bible.

1661. Mr. Orr, q.c.—Do you teach the Church catechism at all?—Yes; to Church children.

1662. Where do the boarders come from?—They come from distant places. They form part of the household of the schoolmaster.

1663. They are not confined to the estate?—They are not confined to the estate. The fact is that our master has been so successful in gaining entrance by competitive examination in Farns school for boys and in Banahugh school for girls, and in getting men into

the police, that his fame has spread abroad, and frequently application is made from people in other places; and one thing is very creditable—we have one man who got all his early education in our school; he then went into Farns, and then went on to college and became a first mathematical scholar; and we have another, a girl, a farmer's daughter, that got high exhibitions at the Intermediate Education examinations.

1664. Where do the boarders reside?—The boarders reside in the master's household.

1665. Lord Justice FRITHGROVE.—The same thing has occurred at other schools. They were restricted local endowments, but they attracted boarders.

Witness.—We have no need now to pay board for tenants' children, because we have a second school in the upper part of the estate, and upwards of forty come there.

1666. Dr. TRAILL.—How many of the school-boys altogether belong to the estate—more than more than one-third?—Oh, a great deal more. There are more than one-third belonging to the district.

1667. The Lord CHANCELLOR.—We have now heard the statement of Mr. Hart and also the statement of Mr. McDowell. The conclusion that we have come to is, that the scheme for the management of Tullyvin and Benbawa ought to be kept distinct from the scheme for the management of Chrysoport school. It appears to us that the endowment is one strictly of a private character, and that it is also one substantially of a local and denominational character, and in our opinion it ought to continue to be such, and the scheme to be settled should keep as near as possible to the intention of the testator as expressed in the will. We do not propose at present to go into the details of the scheme that has been brought in by Mr. Sandars. At a later period, some of our body will visit the schools and the locality, and there hear all persons, and then a draft scheme will be prepared which will be dealt with in the ordinary way as provided by the Act.

Lord Justice FRITHGROVE.—I observe, Colonel Clements, on looking at your draft scheme that you first constitute a governing body for Tullyvin and Benbawa of three persons exclusively of one denomination of Protestants; and, you then go into great detail as regards all that they can and cannot do. Our view is rather, if possible, to make our scheme elastic, and thereby to try to give them somewhat more of the element of permanence. It will be for you to consider, before we come to consider the matter more closely, whether it would be possible to construct a governing body somewhat larger and somewhat less exclusive, and to which you could give a general power of management by by-laws and regulations of their own which we would give them the power to make. All experience shows that it does not do to make a charter more than the foundation of the scheme of management. What we would put in would be a discretionary power to the governing body to have it or not to have it under the National Board. The locality will be consulted with a view to extending the benefits of this endowment in the best way we can to the people who have a right to it, namely, the people who live in this locality, and we certainly will not mix it up with a public endowment of a totally different character in a distant county to which all people are admissible.

Adjourned.

March 4, 1886.

The Incorporated Society.

MONDAY, MARCH 8TH, 1886.

At the Office, 25, Nassau-street, Dublin.

Present:—Right Hon. the LORD CHANCELLOR and the Right Hon. Lord Justice FITZGERSON, Judicial Commissioners; and REV. GERALD MOLLOY, D.D., D.Sc. FRUL., ANTHONY TRIM, esq., LL.D., M.D., F.T.C.D., and PROFESSOR DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, esq., LL.B., was in attendance.

THE INCORPORATED SOCIETY.

Mr. E. T. Sealey, q.c. (instructed by Messrs. H. T. Dix and Son), makes a statement on behalf of the Governing Body of The Incorporated Society.

Mr. Joseph Vaughan.

Mr. Joseph Vaughan sworn.

1688. Mr. Sealey.—Are you assistant agent of the Society?—I am.

1689. And you live at Athlone, or near Athlone?—Yes, I live at Athlone.

1690. Mr. Colclough, I understand, is the agent?—Yes.

1691. Have you prepared a rental?—That (produced) is the full rental of the whole estate up to November, 1884, and also here (produced) as a full rental in detail of the tithe-rentcharge for the same period.

1692. Lord Justice FITZGERSON.—Do you, in your agency office in Athlone, manage all the landed estates of the Incorporated Society in Ireland?—We do, my lord.

1693. Large and small?—Large and small.

Mr. Sealey.—We have in a detailed rental of the lands, and also a detailed rental of the tithe-rentcharge.

1694. Lord CHANCELLOR.—Am I to understand that the first sheet is a general sheet giving a summary?—Yes, my lord, and a detail follows.

1695. Is this an exhaustive rental, giving a detail of all the lands belonging to the Incorporated Society?—It is, my lord, every tenant.

1696. Does Mr. Colclough act as agent over all these lands?—He does.

1697. You are his assistant?—Yes.

1698. Are there any other lands out of which the Incorporated Society derives any revenue?—None whatever.

1699. Lord Justice FITZGERSON.—You keep an abstract of the income?—I have before me one beginning in 1880, and ending 1st November, 1884?—Yes.

1880. I observe the gross income from lands for the year ending November, 1880, was £9,473 10s. 2d.; head-rents and rents, £747 4s. 8d.; poor-rates and county cess, £473 18s. 5d.; income tax, £191 13s. 1½d.; permanent improvements, £23 8s. 8d.; repairs, £34 10s. 3d.; abatements and loans, £166 18s. 8d.; miscellaneous, £74 18s. 2d.; agency, £246 10s. 1½d.; net income, £7,134 12s. 4d. I want to ask you what do you include as a rule in your miscellaneous expenditure?—Advertising, and matters that don't come under any of the special heads there.

1691. Do you mean advertising with reference to lettings?—Yes.

1692. You don't include advertising on any matter except in reference to the estate?—This deals with the estate alone.

1693. Are the charges for head-rents and taxes substantially permanent?—The head-rents are permanent, the taxes are variable.

1694. Yes, but they are substantially the same amounts as I have here?—Yes.

1695. Gross income, 1881, £8,824 11s. 6d.; net income, £6,887 4s. 8d. 1882, gross income, £10,000 0s. 8d.; net income, £7,213 6s. 4d. Did the variation between these two include any money paid under the Arrears Act?—A trifling sum.

1696. Then in the fall in 1881, and the rise in 1882, attributable to your having got additional rents in 1882?—Arrears.

1697. In 1883, to the 1st November, the gross income was £9,444 3s. 1½d.; net, £6,926 6s. 1d. 1884, gross income, £9,805 18s. 10½d. Head-rents and rents, £919 7s. 6d.; poor-rates and county cess, £480 6s. 11½d.; income tax, £207 18s. 0½d.; permanent improvements, £40; repairs, £31 9s. 6d.; miscellaneous, £45 10s. 4d.; annuities, £44. What is that annuity?—It is on the Kilkenny and Waterford estate?—The will of Ann Gorman, read today.

1698. Abatements, £214 13s. 3d.; agency, £271 6s. 4d.; net income, £7,213 6s. 8d. Are you able to tell us what your gross and net incomes were for the year ending 1st November, 1885?—No; we have not closed that yet—we close on the 31st March.

1699. Then do you balance your accounts to the 1st November in each year, on the 31st March following?—31st March following.

1700. Are your general accounts made up from 1st March to 31st March?—Yes, cash expenditure; but the rental to the November previous.

1691. Then your fluctuations, notwithstanding the ups and downs of the times since 1883, have been only two or three hundred pounds?—Scarcely that.

Mr. Wellesley Chapman sworn.

Mr. Wellesley Chapman.

1692. Mr. Sealey.—You are the registrar of the society?—I am.

1693. Have you prepared a statement of the funded property and money of the society?—I have.

1694. Have you set out the total amount of capital, and the total amount of annual income of the several kinds of stock?—I have.

1695. And have you shown the sources from which these several items of stock are derived, and does that comprise all the stock or money funds belonging to the society?—It does (document handed in).

1696. Lord Justice FITZGERSON.—All your money is either in Consols or New Treasuries?—Yes.

1697. You have no other investment?—No.

1698. And the total amounts on which you receive dividends is £84,142 4s. 4½d.?—It is.

1699. Producing an annual revenue of £2,024 6s. 3½d.?—Yes.

1700. Are there any deductions to come out of that?—Merely income tax, which is refunded again.

1701. Do you pay poundage to anybody on collecting any part of it?—No.

1708. Portion of it is in Chancery in England?—It is.
1709. And portion in Chancery here?—It is.
1710. And the remainder in the name of the society?—Yes.
1711. Your first sum in Consols producing £1,700 a year which you mark general fund, is the capital of Lord Vrythoven's bequest?—Yes.
1712. The £23,082 6s. 8d. New Treasuries consist of a sale of portion of *Form estate*, sale of portion of *Celbridge estate*, and sale of portion of the *Banagh estate*, £30,311 general fund (the residue of the *Drummond bequest*), £1,015 11s. 3d. reserve and £362 10s. 2d. reserve. Whence do these arise?—Savings out of income.
1713. Since what time?—Within the last nine years.
1714. There is no portion of it going further back than nine years?—No.
1715. £1,044 6s. 6d. sale of *Peebles estate*, £185 1s., sale of *Arclow*, and the remaining sums consist of

- sales of different portions of the property?—Yes, my lord.
1716. Rev. Dr. MILLER.—I suppose what is marked "reserve" is available for the general purposes of the society?—It is.
1717. Then it is only as a means of indicating its origin that you describe it this way?—Yes.
1718. Lord Justice FRANKLIN.—I observe that to question 3148 in 1875, Mr. Hackett gave this answer: "The income of the estate is about £11,500 a year."—Yes, in gross, but then there is a great deal of necessary outgoings. We have applicable to the purposes of the society about £9,000. About that.
1719. I understand you have now a little more, the average of your landed property is £7,500 a year, and that net subject to any deduction is £2,526 1s.—Yes.
1720. You still have £9,000 a year, clear of all outgoings and expenses, applicable to the purposes of education?—We have.

March 1, 1884.
Mr. Wallace
Chapman.

Henry T. Dix, esq., sworn.

Henry T.
Dix, esq.

1721. Mr. Buxley.—You made an abstract of the trusts on which these several properties are held?—I have taken it from a title book made by the direction of the Board a good many years ago by my predecessor in office, Mr. Crocker, who examined all the deeds of the Society, and for the purpose of convenient reference made out this title book.
1722. Lord CHANCELLOR.—Is this (document produced), a copy of the parts relating to the trust?—Yes.
1723. Where are the original deeds?—They are lodged in the Bank of Ireland in tin cases—very voluminous.

1724. Lord CHANCELLOR.—I think it would be necessary that they should be handed in at some time, and marked as having been produced before us.
1725. Lord Justice FRANKLIN.—We would ask Mr. Dix to make a list of the title deeds that contain statements of the trusts, and give that list to Mr. Ellis. Is the abstract that you have made from your title book, taken from the book that is used by the society as containing the terms of the trusts under which they act?—Certainly, my lord, the title book is made in duplicate, the secretary has one copy, and I have another.

Rev. John W. Hackett sworn.

Rev. John W.
Hackett.

1726. Mr. Buxley.—You are the Secretary of the Incorporated Society?—Yes.
1727. Have you prepared a return showing the number of scholars in the several schools?—Yes. At Athlone we have fifteen foundation scholars. The master has boarders and also day boys. We give the master permission to use the dormitories that are not required.
1728. Lord CHANCELLOR.—Are these fifteen boys free?—Yes, they are elected by competition.
1729. Are they boarded?—They are all boarded.
1730. How many other boys in Athlone?—At present in the school ninety-nine, belonging to the Church of Ireland, that is including all the foundation boys, and the master's own boarders, and day boys.
1731. Lord Justice FRANKLIN.—The return that I have in the printed report says, in 1880, Athlone, Banagh, boarders forty-eight, day pupils nineteen, total number on roll sixty-seven. You say now there are ninety-nine—can you tell us how many are day boys?—Foundation pupils, fifteen; fifty-seven pay boarders and twenty-seven day boys.
1732. That must be right because we have got the return from Mr. Ball. Is he your head master?—No.
1733. In 1882-83 he had seventy-one boarders, twenty-two day boys; 1883-84, seventy-eight boarders, thirty-three day boys; 1884-85, eighty-one boarders,

- and twenty-seven day boys. He got £42 18s. result fees in the first year, £28 5s. 4d. in the second, and £71 in the third year.
1734. Lord CHANCELLOR.—Is there a female school at Athlone?—No, at Roscommon.
1735. Mr. Buxley.—Now, at Roscommon there are twenty-two foundation pupils, no pay boarders or day pupils.
1736. Lord Justice FRANKLIN.—That also is an increase, there were eighteen in 1880?—Twenty is really our foundation, corresponding with the Act, but there had been two additional pupils.
1737. Lord CHANCELLOR.—What are these girls trained for?—They are trained, in the first instance, hoping that they would turn into good school mistresses, or go back to their families and help there, or they become apprentices, or household servants.
1738. What do these pay boarders at Athlone pay?—Generally there is about £25 a year paid.
1739. Lord CHANCELLOR.—What are the boys in Athlone school trained for?—Our own foundation boys are trained—to look forward as the great prize to getting into Santry at a competitive examination after three years at Athlone. They pass a very severe and searching ordeal to test the qualified boys. Every boy that answers 80 per cent. of certain questions propounded to them gets a free place at Santry for a year, there they get a further additional training of, a

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very high order, many of them pass into college and get their science scholarships, many of them have got scholarships and other high distinctions in the University.

1754. Mr. *Sealey*.—I will ask Mr. Hackett later on to produce a list of results. I was astonished at the high places got.

1755. Rev. Dr. MONAGHAN.—Who conducts the examination?—Generally the Fellows of Trinity College.

1756. Lord Justice FRYGEBORN.—Believe you have on your society some gentlemen who are among the Fellows of Trinity College?—We have.

1757. Lord CHANCELLOR.—What is the class of instruction given at Athlone?—A very high English education.

1758. No classical education?—The master does give it; we do not pay any classical teacher, but the master finds it almost impossible to get on without giving the pupils some classical teaching.

1759. Lord Justice FRYGEBORN.—What is the reason you have not given a classical education?—We thought technically, ours being English schools, we should not depart therefrom by teaching Latin.

1760. I believe you have taught French?—Mr. O'Shaughnessy remarked that at the previous Commission, and said he thought it was part of an English education, it might be considered so in Ireland.

1761. I believe in your scheme you seek power to give a classical education?—Yes, we would be very glad to do so.

1762. Rev. Dr. MONAGHAN.—Do you give the same prominence in Athlone to mathematics as you do in Santry?—No, there is a very good foundation laid for mathematical teaching there, but it is not so much confined to it as in Santry.

1763. Because other branches seem to suffer in Santry, judging by results, as a consequence of attaching so much importance to mathematics?—I think not, because the pupils attain high places in other branches.

1764. The success of Santry as regards mathematics is something extraordinary?—Yes, we have found in some of our boys a great genius for mathematics.

1765. Mr. *Sealey*.—Mr. Hackett has furnished me with a list of distinctions obtained last year, fifty-six in number. I will just mention one or two. The Madan prize as fellowship, the second sciences scholarship, science scholarship, the Lloyd exhibition.

1766. Lord Justice FRYGEBORN.—Who got the Madan prize?—Russell, we expect him to be a Fellow.

1767. Dr. TRAILL.—Russell's brother is also in the Indian Civil Service?—Yes, with £1,000 a year in India.

1768. Mr. *Sealey*.—The Lloyd exhibition also.

Lord Justice FRYGEBORN.—That is a very high mathematical distinction.

1769. Rev. Dr. MONAGHAN.—Does this list represent Santry or Athlone?

Mr. *Sealey*.—Santry. The boys seem to have come from all the institutions, Dundalk, Pooke, Athlone, Ferra, and Frimrose Grange, but all through Santry. It is a very interesting return, very creditable to the boys and their teachers. I am glad to see in the list, international law, Irish, experimental physics, logic, history, and so on.

1770. Lord Justice FRYGEBORN.—Are these distinctions all in Trinity College?—No, some of them are in the Intermediate and the Royal University.

1771. Mr. *Sealey*.—There are religious examinations held under the General Synod open to the entire of Ireland, and there (produced) is an enormous list of distinctions obtained by the boys and girls.

Witness.—The highest boy from the Pooke, answered 94 per cent. That shows that religious education is not neglected.

1772. Lord Justice FRYGEBORN.—Are all your boarding pupils instructed in church formularies and catechism, as well as general religious knowledge?—They must be so under our charter.

1773. But are they, as a matter of fact?—They are, a catechist attends every week for that purpose.

1774. Rev. Dr. MONAGHAN.—You wish these returns to go into the appendix.

1775. Mr. *Sealey*.—Yes, I think it would be very satisfactory. Now we will resume the school?—Pooke, twenty-seven foundation boys, eight pay boarders, no day boys, a total of thirty-five. It is a smaller number than we have usually had at the Pooke; they have fallen off for the last year a two.

1776. Lord Justice FRYGEBORN.—What is the cause of the falling off so far as you know?—To answer that question I might incalculable others. If I am pressed to it I must do it. We felt we were very unduly dealt with at the last examination by the General Synod, and our school was spoken of with disparagingly; which we resented, and insisted upon an inquiry. An inquiry was granted by the Incorporated Society, and Dr. Gwynne of College, and the Rev. James Walsh, with the Bishop of C Kerry, was deputed to go down to the school and examine into the charge. They acquitted two boys altogether who were charged with having copied unfairly, and regarding the third, the verdict was "not proven." The consequence was they were relieved from this censure that rested upon them, and their schools were granted to them; but during that time I fear there was an injury inflicted on the Pooke school, and a prejudice created that things were not fairly carried out, which was very unjust to the master.

1777. Dr. TRAILL.—What was the attendance of the previous year?—Over fifty.

1778. Lord Justice FRYGEBORN.—In 1880, the Pooke was returned as having sixty-five boarders, and in the return from the master, 1883-84, he returns twenty-nine; 1885-86, twenty-nine; 1886-87, twenty-seven; so that there must have been a sudden fall between 1879 and 1883?—I think there must have been twenty-nine foundation boys, there is never less than twenty-seven, and sometimes there is more.

1779. He is asked to give the number of his pupils, and to return thirty-eight on 14th November, 1885. He has put them in different columns—English only, fifty in 1883-84; forty-four in 1884-85, and thirty-eight in 1885-86, so that there would appear to be a considerable fall, namely, from sixty-five to thirty-eight, and you say now thirty-five?—Thirty-five. Twenty-seven have been our foundation pupils.

1780. Mr. *Sealey*.—Are the boys that go to the Pooke institution generally from that county?—Yes, and from the counties in Munster.

1781. Lord CHANCELLOR.—Is the class of instruction the same as at Athlone?—Precisely so.

1782. Mr. *Sealey*.—And in like manner the boys go on to Santry when they distinguish themselves?—Yes.

1783. Lord CHANCELLOR.—What is the age of the youngest boys?—We admit them from twelve to sixteen.

1784. And the eldest of the boys remaining in the school, to what age do they stay?—For three years.

1785. So that a boy may remain until sixteen?—Yes.

1786. How many classes are there in the school?—Three. They remain for three years. They enter the first year, go on to the second and third year.

1787. What do they learn during the first year?—Elementary mathematics, and their English education is carefully attended to.

1788. Do you mean English history?—English history, grammar, writing, diction, arithmetic, and geography, and Scriptural instruction besides.

1789. What is the elementary mathematics?—Euclid, first, second, and third books; algebra, trigonometry, and mensuration.

1790. What is the highest class of mathematics that is learned in the third year?—They are fixed in the Santry examination, the whole six books of Euclid, trigonometry. Dr. Griffin, of College, with some of the

fellows, examine them, and it is a pleasure to listen to the interesting conversation.

1771. **Dr. TRAILL.**—You don't limit the number that get into Santry; every pupil that gets over a certain amount of marks is entitled to get in?—Over fifty per cent, and you know the paper questions are very searching.

Dr. TRAILL.—Much beyond book questions.

1772. **Lord Justice Fitzgerald.**—What class are your pupils at the Poochoe drawn from?—I could scarcely answer better than to say that the class of poor people who are incapable of paying for the education of their children is entitled to the benefit. Here (produces) is one of our certificates that we require to have filled up and signed.

Lord CHANCELLOR.—The pecuniary circumstances of the parent are such as to render the child a suitable candidate for admission as a free pupil?

1773. **Lord Justice Fitzgerald.**—Your master reports as a sort of result of your education?—About eighty of my pupils have passed into the Civil Service, three of them having taken first place in the three Kingdoms. Many of my old pupils are clergymen, doctors, and lawyers; but as my pupils are eligible to compete for a year or two in Santry, my most advanced boys send themselves off to and enter Trinity College from thence instead of entering from here. How long has Mr. Brown been with you?—I think he has been with us twenty years.

Rev. Dr. Shackles.—Over a quarter of a century. He was in Santry first.

1774. **Mr. Bussley.**—What is the next school you have on your list?—Dundalk, boys, thirty on the foundation, eleven pay boarders, ten day pupils. I must make this remark—our master wishes I should do so. He has been very recently appointed, and of course the school was broken up on the departure of the old master. He asked me to explain that he might have had a larger number had he been there a longer time.

1775. **Lord Justice Fitzgerald.**—What became of your previous master?—He got a church living, and left our society. Barentown, county Louth. He got a pension.

1776. Of how much?—£100 a year. For very nearly forty years he was our master; he had been at the Poochoe originally.

1777. Are you in the habit of giving pensions to your masters on retiring?—Yes, when they have been so long with us; we have now only one pensioner more, Mr. Neumann, of Athlone; he had served us a very much longer time.

1778. Do the masters hold at your pleasure; can you remove them at any time?—Yes.

1779. And you exercise it after long service, giving them a pension?—Yes.

1780. **Mr. Bussley.**—I presume the educational state at Dundalk is the same as at the Poochoe?—Yes; they receive a very high scientific teaching, and I think you will find our Dundalk boys appear very prominently in the list of our successful students.

1781. **Lord Justice Fitzgerald.**—The Dundalk roll now stands at fifty-one, it stood at sixty-eight, all boarders, in 1860, and I see that your present teacher did not send us back our return?—He has only just entered on his duties. The next is Primrose Grove, thirteen foundation boys, sixteen pay boarders, and one day pupil.

Lord Justice Fitzgerald.—The numbers, in 1860 was twenty-two boarders and one day pupil.

1782. **Mr. Bussley.**—Is that some distance from Sligo town?—Nearly three miles, under Knocknaree Hill.

1783. **Lord Justice Fitzgerald.**—Mr. Shackleton is your head master there?—Yes.

1784. He has got £27, £23, and £21 from the Intermediate Education results?—And Science and Art also. Now, Ferra, twenty-eight foundation pupils, and six pay boarders, no day boys.

1785. **Lord CHANCELLOR.**—Is that the same class of school as Dundalk and Athlone?—Quite so.

1786. **Lord Justice Fitzgerald.**—There is an increase there also, twenty-eight to thirty-four?—The next is Colbrige, the girls' school, fifty-eight on the foundation. In obedience to the wishes of a former Commission we have now added on to Colbrige a training school for our girls to be school-mistresses.

1787. **Lord CHANCELLOR.**—Are there any pay girls?—None.

1788. **Lord Justice Fitzgerald.**—That is an increase from fifty-six?—Yes. The next is Santry, twenty-three foundation pupils, forty-three boarders, and one day pupil.

1789. **Lord CHANCELLOR.**—Santry gives a superior class of education?—Very much so.

1790. **Lord Justice Fitzgerald.**—Santry has risen from fifty-five to sixty-seven, but in the fifty-five there were eight day pupils, so that you have increased your boarders from fifty-seven to sixty-six?—Yes.

1791. **Mr. Bussley.**—You teach the higher mathematics?—Yes, and fit them for the science scholarships.

1792. **Lord CHANCELLOR.**—And these Santry boys are drafted from the other schools?—Yes.

1793. **Dr. McCall.**—Is Latin taught in Santry?—There is a class so taught, but not by the Society.

1794. Do you not think it a disadvantage that your boys should come up to the universities without having learned Latin?—Unquestionably a most weighty and very serious drawback; we should be very glad if we had the power to introduce it.

1795. Where is the examination held by which you nominate your free scholars, is it one examination for the whole country?—No, at the schools, we have centres all through Ireland. We invite the boys from all sides. We divide them now by dioceses, and we invite all the boys, any connected with the dioceses of Dublin, Glendalough, and Kildare, to come up to Dublin on a certain given day, notice of which is circulated, and they are then examined in Dublin. The Poochoe is for Omsay, Ferra, Leighlin, and part of Waterford.

1796. And for Rosslough?—That is held in the town of Athlone.

1797. If a boy from one part of Ireland wished to go to a distant part to compete there, would he be admitted?—No. You may perceive by a paper which I have handed in there are conditions which must be complied with, that the candidates must belong to a certain district, and be resident for twelve months. This (produces) contains the rules.

1798. Then might it happen accidentally that there would be an excessive number of boys in one locality, and rather a deficiency in another?—It might be so, and we of course have a larger number of competitors at one examination than we have at another.

Mr. Bussley.—It is not a competition for a certain number of vacancies, but any boy who answers fifty per cent. is elected.

1799. **Dr. McCall.**—That is for Santry. I am speaking of the whole country, the original examination?—We give five places to the boys at Athlone, and we examine all candidates, no matter how many come up, there must be three candidates for each place.

1800. You only give five places in the proportion of one to every three candidates?—Yes, but the maximum number is five there.

1801. Then from the funds which would accumulate in that way, if all were not elected one year, you give an extra number next year?—There are so many disappointed candidates that we think it is a right thing to elect one or two of these good candidates to fill up the vacant places.

1802. Then you do send boys from one locality to another if there is an excess?—We sometimes do, but it rarely occurs, that we have not a sufficient number of candidates from the different localities.

1803. On the whole, your schools have been working very successfully?—Very much so, indeed, we have

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had very great satisfaction, and are thankful for the results. I have been reminded that the competitive system that we proposed on in the election of these candidates was first adopted in Ireland by us, fifteen years before it was tried by others. It was a plan suggested and carried out with great success, namely, instead of merely appointing a boy by favour we now insist upon his qualifying by a competitive examination.

1804. Am I right in supposing that the boys sent to Bearly are the boys selected from all other schools of the society?—Yes, and by a searching test.

1805. Dr. TRAILL.—Was it not in 1835 that the test of competitive examination was first adopted?—It was.

1806. Is it also the case that all the children of National schools or workhouse schools are excluded?—Not at all.

1807. I have taken it from the report?—The report is very inaccurate. If it is an old report, we were very exclusive then, but there has been a fundamental change since.

1808. I was going to ask when that change took place. It was stated in the report of 1839:—"No child is eligible who has attended a school of public legal foundation, and therefore the children from National schools and workhouse schools are excluded."—I don't think that is the ground on which the exclusion took place, we had a qualification that a child should attend a school where the Scriptures were taught, that certificate has been abolished and a different one adopted in its place.

1809. I want to know when that change took place?—About 1850 or 1851.

1810. Mr. Bearly.—That exhausts our boarding schools.

1811. Lord Justice Fitzgerald.—Have you got conveniently there the list of your existing number of boarders?—216 foundation, and 141 pay boarders.

1812. You have 367 boarders now, you had only 347 boarders in these same eight schools in 1850. Now, I want to know your total of day boys?—Thirty-nine.

1813. That thirty-nine takes the place of thirty-three, which were in that former list, and makes altogether receiving instruction in these eight schools, 396 as against 380 in 1850?—Yes.

Lord Justice Fitzgerald.—You have got nearly twice as many boarders as there are scholars altogether in the Royal school.

1814. Mr. Bearly.—Now, the day schools?—Ray, in Donagh, twenty-five.

1815. Lord CHANCELLOR.—What is the class of instruction those boys get?—The instruction of an ordinary parish school.

1816. Is it much the same class as a National school?—Yes, I should say very much of the same class, they are very junior children.

1817. Not at all up to the standard of one of your boarding schools?—No, although we have got some excellent scholars from it who have been trained at Princess George's.

1818. Lord Justice Fitzgerald.—Do you promote children from your day schools to the boarding schools?—If they can stand the examination.

1819. Then you have one competition to admit boys to the boarding schools, and another to the Bearly school?—Yes.

1820. How many pupils have you in the Ray?—Twenty-five. The scholars almost failed for a time, and a new master had to be appointed, and I have received very good reports of him.

Lord Justice Fitzgerald.—There were seventy-eight in that school in 1850.

1821. Dr. TRAILL.—How are those twenty-five distributed according to religious education?—If you ask me as Secretary of the Incorporated Society, I don't know; they all come there for religious education; I can get the information you require.

1822. Mr. Bearly.—What is the next?—Newport; that has also fallen down very low indeed, in fact, the population has diminished so much, there are very few children now there—only eleven. There is a large National school that takes in a great deal of the population, leaving very few behind to come to our school.

1823. Lord Justice Fitzgerald.—There were only seventeen there in 1850?—It is for boys and girls, a mixed school for very junior children, who come there very young. The next is Arklow, we have forty-three on our roll there. The next is Cosh, and I have written for the return. I am afraid it has not come, but it is very low, too. I don't suppose there are much more in Cosh at this moment than fifteen.

1824. Dr. TRAILL.—Are they boys or girls?—Both boys and girls; they are very low down, but I cannot supply the exact figures. Birdhill school seems of eleven. The next is Stedfield. The Stedfield return has not come either.

1825. Lord Justice Fitzgerald.—That was under the National Board, on the former occasion?—Stedfield is at this moment under the National Board.

1826. But about how many according to the last return had you there?—I think when I examined there, we had between thirty and forty in June of last year, but I wrote for the exact figures.

1827. Mr. Bearly.—Ballycastle?—I have not got that return, besides we only give a subscription to it.

1828. Dr. TRAILL.—Why is that?—We give them a share of our scholarships besides, and that is all that has been done for years.

1829. Is it under the National Board?—I think not; Mr. Cox is the rector.

1830. Lord Justice Fitzgerald.—Having regard to the falling away, as you have described it, of these day schools and primary schools of that character, is your consideration it beneficial to maintain them, or that the money could be more usefully applied in supplementing your boarding schools?—I think in our scheme we have asked to get that permission, which we did not think we had under our present rules.

1831. You have not mentioned the Clonsilla school in your return?—No. That school is closed for the present, it might have been furnished, but it was not; it is used now by the parish for meetings.

1832. On the former occasion there were two schools you were supposed to have in Trin described as in abeyance, are they still unopened?—It was a mixed school for boys and girls.

1833. Has that been started again?—No, that was the Mornington grant.

1834. There was in Down a boys and girls' school, at Killybegh; you stated the grants were in abeyance?—We give them a grant because they are in our property.

1835. Substantially the work of education you are doing is the work of the eight large schools?—I say that the work we rely upon as a test of our success has been very much effected by the foundation pupils.

1836. Lord CHANCELLOR.—Then your day schools consist of Ray School, Newport, Arklow, Cosh, Birdhill, and Stedfield, and you give a subscription to Ballycastle—that is six day schools. Will you tell me what system of inspection have you?—There is a very continual intercourse between our Board and these schools. I may say our scholars have to attend about eleven examinations during the year, and I am desirous to seek for some consideration towards them; being required to be diligent in attending to their books, these too frequent examinations must disturb their studies.

1837. Rev. Dr. MOLLOY.—Are all the boys examined eleven times?—No. I have noted down on paper eleven. The deputation from the Society, which is appointed by the Board to hold the competitive examinations for entrance, inspect the schools at that

time, and examine the foundation boys who are present, but sometimes it happens to be vacation time. The catechist visits his school every week—it is under his superintendence the whole system is carried out; our Board is in continual communication with him; he is charged, not merely with instructing the pupils in the Scriptures, but also with the general superintendence of the school. As our agent and representative, he reports to us everything needful for us to know, any wants of the school, any acts of disobedience, but I am thankful to say these are of rare occurrence. Then, again, I must remark that the pupils are stimulated by self-interest to conduct their studies, on the result of which the whole of their after-career depends. It is not like a school, the boys of which have family property they can fall back on afterwards if needful; but our boys feel that their time is their capital, to be carefully employed, so that our boys stand out from all other schools in that respect. Each of our institutions has its own special examination at Christmas. In May comes the Science and Art examination from South Kensington; in June, the Intermediate examination, and the stannery examination at Trinity College. We have our third year pupils examined for Sundry scholarships—three days of close and searching examination. Then Scripture and the foundations of our Church, are examined in by the Board of General Synod in December. All the institutions are examined by the deputations appointed by the Board. Then comes the diocesan examination of the Scriptures in June and July. Then the Civil Service examination twice in the year. I had an examination by paper, but I was induced to discontinue it, so many examinations worried the boys and consumed their time, and so I have suspended that examination for the last two or three years. If an Inspector is appointed—which I believe is contemplated—the number of yearly examinations will be further increased.

1838. Rev. Dr. MONAGHAN.—Is it in the power of your Board to diminish the number of these examinations?—It is.

1839. Lord Justice FRYGEMAN.—I understand your list of eleven examinations—although it looks very formidable—is not an ordeal that each boy has to go through?—Not at the same time.

1840. One of them is a stannery examination at Trinity College. What number of examinations has each of your schoolboys to present himself at in the course of the year?—The scholars are subjected, at least some of them, more or less to these examinations already enumerated.

1841. Mr. BENTLEY.—There are about three examinations for each boy in the year?—There are more.

1842. Lord Justice FRYGEMAN.—Let me read a paragraph for you and ask your opinion on it, it is from Dr. Mahaffy's report:—

"With the exception of the highest classes at the Belfast Academic Institute, I find no boys so advanced in their studies, and the atmosphere of all the schools was essentially one of sloth and idleness. No idling was tolerated, nor had the masters any trouble in enforcing discipline and attention on their pupils. The danger of all their schools is that the boys will overwork themselves; therefore, games and recreations should be made as attractive as possible."

Have you done anything in that direction?—We have fives, gymnastic exercises, and cricket, &c.

1843. Rev. Dr. MONAGHAN.—Does your Board exercise any control over the head masters of the schools as to the amount of the fees they are to charge to the boarders?—Yes, we limit that. There are two classes of boarders, one he calls hall boarders, and for these we limit him in his charges. We think, when we give him the advantage of our dormitories, and a variety of help through our ordinary school arrangements, we ought to consult for the public welfare too,

and, therefore, we limit him, perhaps the boarders are the children of poor families who cannot afford money for higher schools, and we limit him to £30 or £25. Then he has a claim that he calls his parlour boarders who pay him more money for some advantages, not in an educational point of view.

1844. Better class of living?—Their dietary is better.

1845. What do you allow for your own free boarders?—We allow tenpence a day. We think it very small, but they have been satisfied with it. We allow only tenpence a day, except to Sundry, where the boys are more advanced, and we allow there 1s. a day—that is merely for their board.

1846. Lord Justice FRYGEMAN.—You keep up the house and the furniture, and give £15 a year for the small boys, and £18 a year each for the older boys?—Yes, it is less for the girls.

1847. What do the girls cost you?—I think we allow not more than 8d. or 9d. per day for diet.

1848. Do you clothe any of them?—We clothe them all.

1849. For the tenpence?—No; we give the tenpence for their food only.

1850. Does your expenditure on the free boarders include their clothing?—Yes. Each boarder we calculate costs us about £25 a year. At Sundry, our boarders would cost about £30. The girls, we estimate, cost us £18 a year—that is about our average calculation. I wish we had the power of improving our dietary.

1851. Lord Justice FRYGEMAN.—I want to ask you a few questions about your evidence in 1879. You were asked—"Does the Intermediate Education Act in any way affect your position?" And you said—"We hope it will do so beneficially." Have your boys gone in for the Intermediate examinations to any large extent?—I do not think they have to a very large extent—they have to a certain extent.

1852. I see some of your schools have got a considerable amount in profit fees—do what do you attribute their not having gone in more largely?—Many of them have been looking to Trinity College, and some of them don't think it worth their while to spend time preparing for those examinations; they don't think the results are adequate remuneration.

1853. Your master in Primrose Garage has represented that he has a number of boys who are over the age for the Intermediate—they don't come in sufficiently educated to enable him to prepare them. We had the same complaint made from some of the Roman Catholic schools—do you think that is so?—I should think so. The ordinary education to command entrance into our schools is not sufficient to enable them to compete at these examinations.

1854. Dr. TRAILL.—Do you think that they are taken from a class in life whose studies are postponed?—Yes.

1855. Lord Justice FRYGEMAN.—The Peacock master said "As Latin, Greek, and French are only extras, and not an essential part of the instruction given, and the physical and natural sciences do not form a part of our educational course, we are placed at a great disadvantage where boys are required to pass in two, or three subjects, and Euclid, algebra, trigonometry, &c., are included in one subject;" and, therefore, he says the work done cannot be fairly represented by the result of the Intermediate examinations. What do you do with what result fees have been received?—I think there is a bargain made between the master and the pupils—he shares with them in the profits.

1856. But you don't interfere with that?—No, we leave it entirely to the masters.

March 8, 1884.
Rev. John W.
Hadden.

March 8, 1886.

Mr. W. Chapman re-examined.

Mr. W. Chapman.

1857. Mr. Sney. — Did you prepare this balance sheet showing the application of income? — Yes.

1858. Lord Justice Fitzgerald. — What is the Thackeray exhibition? — It is a science scholarship.

Mr. Joseph Vaughan.

Mr. Joseph Vaughan re-examined.

1859. Lord Justice Fitzgerald. — Can you tell me whether your income was affected in 1865? — There is no change in our landed income.

1860. You have not had a falling off in 1865? — No, my lord. I don't mean to say that we have got in all the rents, but we have given no statements.

1861. Have you got less money in 1866 than in 1864 out of your lands? — This month we will be closing the account; I don't think there will be a penny less than last year.

1862. Dr. TRAHER. — Do you receive the rents yearly or half-yearly? — Half-yearly.

1863. Lord Justice Fitzgerald. — The figure that I want has really nothing to do with what you are collecting at present. What I want to know is, between 1st January, 1866, and the 31st December, 1866, how much less money did you get out of your landed property than between the same dates in 1865? — I don't think there was any appreciable difference.

1864. Dr. TRAHER. — Is there any hanging job on the estate? — On the small properties.

Mr. W. Chapman.

* Mr. W. Chapman re-examined.

1865. Lord Justice Fitzgerald. — 1860, I see your expenses upon the institution, Thackeray exhibition, establishment, and general fund, amount to £9,100 16s. 6d. — Yes, my lord.

1866. Of which £749 2s. 4d. was establishment. What do you carry to the establishment account? — The rent of the office, the secretary's salary, the register's salary, and the messenger's salary; also the taxes, of course, coal for the office, and repairs of the office.

1867. What are the salaries you pay? — £100 for the rent of Hanover-street, £35 taxes, secretary, £775; allowance for cleaning, £25; register's salary, £120; messenger, £40; coal, about £18, and other expenses, including repairs, office requisites, &c., £60. 1868. Total £660? — Yes.

1869. Then for £660 you manage your establishment charges—all the charges that, in the case of the Royal Schools, are covered by the grant of £670, and the Commissioners of Education pay their accountant £170 in addition? — Law expenses, £175; school grants, £31; special expenditure, £207 5s. 3d.—that is, repairs and improvements on the estate in that year. On the Banulagh estate £361 10s. 3d., permanent improvements, which is included in this; Farna, £56, and £27 in general fund.

1870. Now for 1861, your general expenses, establishment £217, and total expenditure including that, £9,043 8s. 9d. upon the institutions and establishments, estates £359 2s. 8d. with law expenses, £162 15s. 8d.? — Yes, my lord.

1871. 1862, institutions and establishment £2,878 7s. 4d., estates £368 2s. 11d., including £161 law expenses, and £180 special expenditure. 1863, institutions and establishment £2,714 7s. 8d., law expenses £162 17s., special expenditure £173 19s., making £2,887 16s.; and in 1864, expenses and establishment

£2,581 10s. 3d., law expenses £179 17s., school grants £31, special expenditures £229, making £491. What are those school grants you put down every year? — Certain grants, one made to a school in Athlone, and another to a school near Drogheda.

1873. Are those in the nature of a donation to schools not under your own management? — Yes.

1874. What is this item which seems very regular for law expenses? — Solicitor's salary of £150 a year, and special expense is outlay.

1875. What do you do with the litigation which I suppose you are not entirely free from with regard to rents, does your solicitor do that for the £150?

Mr. Dine. — No, that would be done by a local solicitor.

1876. Lord Justice Fitzgerald. — Where do the costs appear in this account?

Mr. Chapman. — In the £30 odd.

1876. Lord Justice Fitzgerald. — If so, you appear to have managed your estates with practically no increase of law expenses? — No, my lord.

1877. What attendance does your solicitor give for the £150?

Mr. Dine. — Attends all the committees and boards.

Rev. Mr. Hackett. — Gives advice and manages all our estates; we have had a great many.

1878. Lord Justice Fitzgerald. — Last year the purchase-money of Kevin-street rent, £30, what was that? — Purchase of £1 a year payable out of Kevin-street to the Church Temporalities Commission.

1879. The last four years surplus of income over expenditure, 1881, £165 9s. 1d.; 1882, £111 15s. 6d.; 1883, £125 19s.; 1884, £304 7s. 8d.; to what account do you carry this surplus of income over expenditure? — To the reserve fund.

1880. Is that reserve fund that you return in your schedule in cash? — Partly so.

Rev. Mr. Hackett re-examined.

Rev. Mr. Hackett.

1881. Rev. Dr. MOLLOY. — Greek and Latin are subjects that you allow the master to teach on his own account, but your free pupils, as such, are not entitled to share in this teaching? — No, but I think they do get a portion.

1882. Lord Justice Fitzgerald. — Are your free boys entitled by the arrangement you have with your master to instruction in Latin and Greek? — No.

1883. Then there would be a danger that the day boys in these schools might compete unfairly for the

master's attention? — It might seem so, but as a matter of fact I don't think it is so.

1884. Dr. TRAHER. — Do the masters teach these classes themselves or employ others? — They employ others.

1885. The head master is generally selected for his mathematical attainments? — Yes.

1886. Rev. Dr. MOLLOY. — I find in Athlone twenty-two are learning classics out of 108 altogether? — The master teaches all our foundation boys.

Mr. W. Chapman re-examined.

1887. Lord Justice FRYGEMAN.—Without going into details can you tell me how much money you had to your credit in cash from surplus receipts, and have you any rules about investing it. There seems to have been no investment during the four years I have read, except the purchase-money of Kevin-street?

Mr. Chapman.—No investment. But we made an investment a few days ago of about £700.

1888. Rev. Mr. HACKETT.—That was to recover the amount from which we had taken £1,000 in our distressed times.

Rev. John W. Stukin, M.A., sworn.

1889. Mr. BEELEY.—What is the Thackeray Exhibition?—A certain part of the funds of the Society set apart by the Society to commemorate the memory of the Rev. Elias Thackeray, of Dundalk, who was really the founder of the competitive system in the United Kingdom. He took up the Incorporated Society at a time when the schools were in a very bad condition, and he devoted a good deal of time to reorganising them, and he founded the system of competitive examinations. When he died, it was proposed by the Society to erect a monument to him. I said, I thought erecting a monument in Dundalk Church, of which he was the Rector, would not commemorate his name, and I suggested that an exhibition should be founded by the Society to encourage the study of mathematics. At that time mathematical scholarships had been recently established by Trinity College. "But," I said, "if you give an exhibition of £30 a year for four years, and give it to anyone who within three years of leaving the Incorporated schools, gets a scholarship, that will keep Mr. Thackeray's name known for ever. At the same time," I said, "I don't think many of our boys will succeed in getting it," because at that time their mathematical knowledge was not as advanced as now. That was thirty years ago. For several years it was as I said. For several years no one thought of competing for it, but at last one of our boys from Souty got it and then another, and at last so many were

getting it, that we had not funds to keep it up, and we had to cut down the tenure from four to two years. At last our boys began to sweep away all the mathematical scholarships.

1890. Dr. THAIN.—Was this to be given to the winner, or to the next one?—No, to everyone of our boys who got a scholarship.

1891. Lord Justice FRYGEMAN.—Then may I take it, that every £30 that appears in this account represents a mathematical scholarship won in Trinity College by your boys?—Yes, every £30 in each year's account.

1892. I observe the number has been, first year, £30; next year, £30; third year, £180; fourth year, £180; and last year, £120, so that now for five years back, you have had a minimum of three scholarships concurrently holding the scholarship. What is the length of time it lasts now?—Two years.

1893. Have you no other exhibitions or prizes open to boys after leaving you than that?—No.

1894. Well, the tendency of other schools having been attributed to the withdrawal or absence of such things, may I ask you have you any school exhibitions or prizes of any sort beyond these free places and the Thackeray Exhibition?—No.

1895. Do you find free places attract a large number of boys to compete for them?—Yes, because they are educated, boarded, and clothed.

Mr. William McClelland sworn.

1896. Mr. BEELEY.—You are head master at Souty?—Yes.

1897. And have been so for some years?—Three years.

1898. What are the chief subjects of instruction at Souty?—The first subject is mathematics.

1899. How far do you go in mathematics?—The science scholarship course in Trinity College and the Royal Scholarship course in the Royal University.

1900. Rev. Dr. MOLLAT.—These are the two standards that you have before you in preparing your boys?—Together with the Science and Art Department as far as the fifth stage in mathematics, which would embrace a more extensive course—for example, solid geometry; it would be a more superficial course, but more extensive.

1901. Mr. BEELEY.—Now, in mathematics, do you go as high as spherical trigonometry?—Yes.

1902. Do you do any advanced geometry?—Yes.

1903. Calculus of any kind?—That does not come into our course at all.

1904. Do you do anything in the way of applied mechanics?—We had theoretical mechanics, first and second stages, for the Science and Art.

1905. Do you do anything in the way of experimental science?—We are at a great disadvantage there, because we have no apparatus to teach; we do chemistry, though, the elementary stage.

1906. Any astronomy?—No astronomy.

1907. Do any of the boys get any classical education?—There is classical education provided for all the boys, Latin and Greek.

1908. Do they all learn Latin and Greek, or how many?—Well, the boys who intend going in for a university education afterwards all learn Latin and Greek. If going to Trinity College they all learn Latin and Greek, and if going to the Royal University they learn Latin and French, because they consider French is easier made up than Greek. It is optional in the Royal University.

1909. Lord Justice FRYGEMAN.—What is your teaching staff?—Myself and five assistants.

1910. What is your salary?—My salary from the Incorporated Society is £135 a year.

1911. And besides that you are at liberty to take fees from the pay boarders?—Precisely.

1912. I presume you have a residence, and have you got board?—I have got a residence.

1913. Furnished?—No, apartments not furnished. I have got bed for what I pay rent; there is a garden attached to the house.

1914. You have five assistants; what salaries do they get from the Incorporated Society?—I get an allowance of £50 a year to keep assistant masters.

1915. £50 altogether?—Yes, but the Incorporated Society don't recognise the teaching of Latin, Greek, or French.

1916. You get £50 a year as an allowance towards masters—what does the rest of the means of keeping them come from?—From myself—it is altogether a speculation of my own.

1917. The boys pay fees to you?—The boys pay fees to me, and from those fees I am enabled to keep a better staff of masters than the Incorporated Society perhaps intend.

1918. What other money allowance do you get from the Incorporated Society?—I get an allowance for servants and coal—£35 a year for coal, £15 for light, and for servants I get £50 a year.

1919. Then they pay you, I presume, for what they call the free boarders?—They pay me a shilling a day for the number of days that the boys are actually present.

1920. And you have to provide all the food?—I provide all the food.

1921. What is done with regard to seeing that the food is sufficient?—As far as I know there is a regular standard of dietary, which we are supposed to give the boys.

1922. Then, as I understand, the whole account

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Mr. W. Chapman.

Rev. John W. Stukin, M.A.

Mr. William McClelland.

March 6, 1946.

Mr. William
McClelland.

you receive from the society, apart from the allowance for the boys, is £275?—About that.

1923. Dr. TRAILL.—Would you be able to do much better work if you had a larger allowance for assistant masters?—Very much better work.

1924. Do you think in the working of a school allowance to assistant masters are more important than even the allowance to the head master?—I honestly believe they are.

1925. The head master by *ipse* has a stimulus for working, and if he is supplied with sufficient funds to pay assistant masters I take it he will do better work himself than if he got a large amount for himself, whether he worked for it or not?—I would go so far as to say that the position of education at present is better defined by the position of the assistant masters, because the first question with me, after engaging an assistant master and arranging his salary, is what time will he have to himself, not what time will he have for teaching.

1926. From your experience, supposing in the management of any school we were going to allow £500 or £600, or £1,000 a year, do you think the larger part of it given to the head master; or the larger part allowed to the head master for the payment of assistants, would get better work done in the school, allowing the head master to get fees?—I should certainly like to see assistant masters better provided for—not at the head master's expense, as it is at present.

1927. Lord Justice FRIZGROVE.—How many boarders have you accommodation for at Santry?—From eighty-five to ninety-five.

1928. How many have you there at present?—Sixty-six or sixty-seven.

1929. Dr. TRAILL.—Forty-three of your own and twenty-three foundation?—Forty-three and twenty-three.

1930. Lord Justice FRIZGROVE.—What do the pay boarders pay you?—From £30 to £40 a year.

1931. According to age?—Not according to age. £30 is the standard, and then there are extras in the way of Latin, Greek and French; but very few of them, as far as I understand, are able to pay for the extras.

1932. Rev. Dr. MOLLOY.—What proportion of your boys are learning Latin and Greek?—At the present time I should say of the foundation scholars, fourteen out of twenty-three are learning Latin, and of the boarders there are about thirty out of forty-three learning Latin.

1933. Then it is your own voluntary action to teach those foundation scholars?—It is not altogether voluntary, because in Trinity College recently it was decided by the board that before a pupil could qualify for a Science scholarship, he must pass a preliminary examination in Latin and Greek. In fact, even although he studied the marks sufficient for a Science scholarship, it would not be conferred upon him by the Board unless he qualified in Latin and Greek.

1934. That is a necessary preliminary to getting a boy into Trinity College?—Yes.

1935. Lord Justice FRIZGROVE.—Your boys are taught drawing. Does every boy in the school learn drawing?—No, at present there are twenty-two boys learning it. Drawing is also an extra subject, but we teach it to any boy who is willing to take up the art course of the Science and Art Department, model drawing, free hand, and geometrical drawing.

1936. I see in some of the schools in the country—of the Incorporated Society—they teach surveying, do you teach that at Santry?—No.

1937. Do you teach any of your boys book-keeping?—Yes, there is a book-keeping class for the Civil Service and the Bank of Ireland, they all learn book-keeping, and there is a Junior Intermediate Class.

1938. What proportion of your boys learn book-keeping?—About half.

1939. Do you teach shorthand writing?—We have never taught that.

1940. I believe the head-master in the Bluscott School is an old Santry boy?—Yes.

1941. Dr. TRAILL.—Were you at Santry yourself?—I was a Santry boy myself, a foundation scholar.

1942. Rev. Dr. MOLLOY.—Do you think the department of mathematics is promoted in Santry to the disadvantage of other studies, do you think it gets undue predominance?—Santry is essentially a mathematical school, the Incorporated Society does not recognise the teaching of Latin, Greek, and French. Santry is essentially a mathematical and English school.

1943. That arrangement is outside of your control?—Yes.

1944. But as a matter of opinion, should you consider it better if the education was more general, and not so strictly mathematical?—Well, my own feelings are, that if these foundation scholars coming up to Santry had an elementary knowledge of classics it would give us far less trouble in Santry in preparing them, because boys of eighteen and nineteen have to begin at Latin and Greek grammar.

1945. May I ask if you have found that the success of your boys, subsequent to leaving Santry, has been sometimes considerably injured by the want of a good knowledge of Latin?—On the whole, I think not.

1946. Their success in their university studies?—I think not, perhaps to some extent.

1947. Dr. TRAILL.—Have they not been stopped at Littlelog, although their marks were full marks in other subjects?—I think so.

1948. Rev. Dr. MOLLOY.—I know myself a very remarkable case in the Royal University?—Yes, when a boy lost his scholarship.

1949. Lord Justice FRIZGROVE.—From want of knowledge of Latin?—From want of knowledge of Latin.

1950. Now, from your experience both as boy and as teacher, can you tell us whether you think it would be of advantage generally that the Incorporated Society's education should include Latin, Greek, and French, or any of them and which of them?—I should say it should include all, but still leave them in a subordinate place. I should not like to have them introduced at the expense of mathematical teaching.

1951. Such a knowledge of Latin, Greek, and French as would open to boys any career in which these were required?—Certainly.

1952. Mr. SENTRY.—You would not have them go in for honours in classics?—No.

1953. Dr. TRAILL.—You would not like to sacrifice eminent scientific attainments for them?—No.

1954. Lord Justice FRIZGROVE.—We had some little comments before about the household arrangements being a little rough—who has charge of the household management?—Mrs. McClelland.

1955. Do you and she dine with the boys?—With all the boys.

1956. Rev. Dr. MOLLOY.—I suppose you make a difference between those who pay £35 a year, and the free scholars?—No difference.

1957. Lord Justice FRIZGROVE.—Do all the boys dine together?—They all dine together.

1958. Are the free scholars and pay scholars all raised up together throughout the school?—In every department.

1959. Do you find any separation among the boys on account of some boys being free, and others not?—None whatever, in fact, the masters could not tell us from the other.

1960. Dr. TRAILL.—Is it not a fact that foundation boys are looked up to, rather than otherwise, by other boys, on account of their intellectual superiority?—It is certainly so.

1961. Rev. Dr. MOLLOY.—Do you consider the allowance made by the Board is equivalent to £35 a year?—Not by any means.

1962. But still they get the same advantage as if they were paying £35 a year?—They have the same advantage.

1963. Dr. TRAILL.—Do you think there is a loss or gain by the shilling a day?—A loss, certainly. The enquiry was adjourned.

THURSDAY, MARCH 11TH, 1886.

At the Office, 23, Nassau-street, Dublin.

March 11, 1886

Erasmus Smith's Schools.

Present:—Right Hon. the Lord Chancellor, and the Right Hon. Lord Justice Fitzgerald, Judicial Commissioners; and Rev. Gerald Molloy, D.D., D.Sc., F.R.U.I., Anthony Traill, Esq., LL.B., M.D., F.R.S.B., and Professor Dougherty, M.A., Assistant Commissioners.

The Secretary, Wm. Edward Ellis, Esq., LL.B., was in attendance.

ERASMUS SMITH'S SCHOOLS.

Mr. William Anderson, Q.C. (with him Mr. Edmund Mansell, instructed by Messrs. Mansell and Son,) makes a statement on behalf of the Governors.

The Vice-Chancellor sworn.

The Vice-Chancellor.

The Lord Chancellor.—The evidence we wish to have to-day is first, as to what your endowments consist of, and how they are managed, that is to say the manner in which the rents are collected, and the expense of management. We would then wish to hear evidence as to how the governing body is at present constituted, what your staff consists of, and the manner in which you hold meetings; and then we should be glad to have evidence as to the schools, the number of boys at them, and the manner in which they are managed and inspected. Probably you will commence at the estates.

Lord Justice Fitzgerald.—The particulars of the endowments, the existing governing body, and the work at present done.

1864. The Lord Chancellor.—Would you tell us what your estates consist of?—(Witness.) The estates: the property of the Governors are estates in the counties of Limerick and Tipperary, these two we call the southern estates, and estates in Galway, both in the county of the town and in the county at large, a small estate in Sligo, and a small estate in King's county.

1865. Are the Limerick and Tipperary estates the principal ones?—The Galway estate is a very large one too.

1866. What is the rental of the Limerick estate?—The gross rental of the county Limerick estate is £4,244 16s. 6d., for 4,325 acres.

1867. Lord Justice Fitzgerald.—I find in Mr. Murphy's report in 1878, the rental of Limerick is returned as £4,470 in 1876. Have you had judicial rents fixed on that estate?—A great many. Some of the rents were probably increased since 1878, and afterwards reduced.

1868. And your existing rental is only £380 less than the rental of 1878?—Yes.

1869. The estates are situated near New Palles?—A great part of the estates is near New Palles, and there is another very considerable portion near Thurles.

1870. The Limerick estate near New Palles is very good land?—Very fine land, we have some of the best land in Ireland. The gross rental of our land in Tipperary is £1,387 10s. 3d.

1871. Rev. Dr. Meagher.—What is the area?—3,015 acres in Tipperary, 4,324 acres in Limerick.

1872. Does your return give the amount of rent received?—Yes, I can give you all that.

Lord Justice Fitzgerald.—Again comparing with the former report, I find the rental in 1878, of the Tipperary estate was £3,048 18s., so that again there is a very small reduction upon the rental as it was in 1876.

1873. Are those lands also subject to judicial rents?—A great many of them have settled judicial rents. In judicial rents I include rents under statutory agreements. Before the agitation commenced we had a valuation made by a competent valuer. We fully expected we should have been able

to increase our rental, as was generally done at the end of periods of twenty-one years, and we had a valuation made, and according to that valuation a great many tenants afterwards came in and accepted statutory agreements, and instead of being increased the rental was reduced, a good deal reduced. If you have any desire to ascertain the amount of the maximum rental, to what it was increased in 1876, we can of course get you the rentals for any year you like.

1874. It is quite sufficient for our purpose to be able to compare it with 1878. Our duties are limited to the future management, but it is only to see that our arrangements are addressed to a subject matter that is reasonably permanent—I believe I omitted to state that we have lands in King's County, and also in Westmeath; they go together.

1875. They are not included in what you have given us as the western estates?—No. In King's county we have a head rent of £50 a year.

1876. The Lord Chancellor.—Is that the entire of your King's county estate?—That is the entire of our King's county estate.

1877. I suppose under some old grant?—Yes, and the acreage is 485.

1878. So I presume it is perfectly well secured?—If anything is well secured, that is.

1879. We come now to the county Westmeath?—The acreage is 745, and gross rental, £428.

1880. Are there head rents payable out of any of these?—No, there may be quit rents but no head rents.

1881. Lord Justice Fitzgerald.—Is that the entire of Kilpatrick, 531 acres, annual rent £443 7s. 4d., in Mr. Murphy's report?—It must be the same.

1882. That has been reduced from 1878?—Yes, we made a good reduction on that, the lands are Kilpatrick, the King's county estate is Ballywilliam. I must correct my statement as to the rent of £50, £23 1s. 6d. is the free-farm rent, £35 Irish. In Galway we have 2,345 acres, rent £2,374.

1883. The Lord Chancellor.—In what part of the county Galway are the estates?—Close to the town of Galway, and I may remark that that area does not include the town lots and houses in the town.

1884. What are the town lots?—We have a number of old houses in Galway.

1885. Lord Justice Fitzgerald.—Your Galway rental would appear to be practically unchanged. I see in 1876 it is returned as £2,850?—A great deal of that is held on lease, some of them perpetual leases, under what is called Morris's Act, which enabled tenants within the area of the town to come in and ask us for perpetuity grants under certain terms. Almost all the large tenants hold under leases. We have here all those particulars for you. We have a number of houses in College-view, Froehville-lane, Foster-street, Eyre-street, Bohernacree, &c. I may tell you about those that most of them were held by

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The Vice-Chancellor

middlemen some time ago under leases, and all these small holdings sprang up, and when the leases expired the houses came into our hands; we did not build the houses.

1895. The Lord Chancellor.—What is the gross rental of those houses?—It is included in the £2,854, that is Galway county and town together, and in Sligo we have 2,132 acres, and the rent is £430, a great deal of it mountain.

1897. It is not let to a middleman?—No, not now.

1898. Rev. Dr. Molloy.—Is that the total amount of your rental?—That is the total amount. Then there is a small thing in Dublin, some houses in Great Brunswick-street, £48 18s. 6d.

1899. Is that where the school is?—That is where the school is.

1900. The Lord Chancellor.—That makes a total gross rental of £10,914.—You are quite right. These premises in Brunswick-street adjoin the school, part of the Ancient Concert Rooms, those other portions produce this rent of £48, and we pay a small head rent for those premises in Great Brunswick-street.

Mr. Brennan.—£10 a year.

1901. Lord Justice FitzGibbon.—In the printed accounts that you have sent us in, your balance sheet for each year ending 1st May, your first item is "southern estates," does the figure that appears as income represent the actual money that reaches you less by poundage and outgoings?—(Witness).—Yes, actual cash.

1902. Just follow the figures please. 1879, £5,093, 1880, £5,068, 1881, £5,063, 1882, £5,372, 1883, £6,357, 1884, £5,402, 1885, £5,060. Totting all these together I make them £32,830 in round numbers £6,700 a year average, the gross rental of the southern estates being £6,531. Can you give us in round numbers how the difference is made up, how much is uncollected rents, and how much necessary expense and outgoings?—I don't know whether you would care to know, but we can tell what the arrears are on the last account on each of the estates.

1903. Lord Justice FitzGibbon.—Of course a great deal was wiped off under the Arrears Act?—No, we had scarcely anything wiped out under the Arrears Act.

1904. You got in £21,000 in 1883; as against £2,200 in the year before?—We changed our agent. Now, the arrears of rent returned on this last account for the Tipperary lands were £1,692.

1905. The Lord Chancellor.—Due on what day?—Up to the 1st May.

Mr. Meenan.—Up to the last moment, up to yesterday.

Mr. Brennan.—The arrears Mr. Saunders returns are to the 31st December.

1906. Lord Justice FitzGibbon.—That must be the arrears due to the gale day last preceding the lodgment of the account?—Certainly, it must be to the 1st November, £4,264 on the Limerick lands. The King's County fee-farm rent is all paid since. On the Westmeath estate there is a year's rent due, £438 7s. 4d.

1907. The Lord Chancellor.—Was it the custom to have a hanging gale?—There is always a hanging gale, or nearly; you may say, a hanging gale on our estate.

1908. Dr. Traill.—Was not that wiped out by the Arrears Act?—No, we did not get £200 under that Act, I think. Galway arrears, £5,178; Sligo arrears, £303.

1909. Lord Justice FitzGibbon.—The second item in the printed report is the western estates—what is included in the western estates?—On the present arrangement the King's County and Westmeath go with the southern estates. Tipperary, Limerick, King's County, and Westmeath, were made the southern estates; and Galway and Sligo were the western estates. That is a new arrangement, because formerly before the present agent was appointed, the

King's County and Westmeath lands went with the western estates.

1900. The Lord Chancellor.—Have you two agents?—Not now, we have had only one for the last two years.

1901. Lord Justice FitzGibbon.—When was the change, shifting these estates from one to the other denomination?

Mr. Brennan.—Mr. Saunders was appointed in August, 1880, and therefore that would appear to be the balance sheet of 1881 for the first time. I beg your pardon. I have made a mistake. He was appointed to the western estates in 1883, Robinson kept on till then.

1902. Lord Justice FitzGibbon.—Which figure does the transfer first occur in on these accounts. I think probably it must be that one where there is a great increase in the southern estates, where £6,357 comes in.

Mr. Brennan.—I cannot answer that now.

1903. Rev. Dr. Molloy.—Does the income represent the total rent received, or the rent received less outgoings upon the property?—Rent received less outgoings, net money.

1904. The Lord Chancellor.—What are the outgoings. You have no head rents except these Dublin head rents?—No. On the rental up to the 1st November, 1885, which practically corresponds with what you have been dealing with, the peer rates allowed was £204 on the southern estates, including Westmeath and King's County, and £431 for other allowances.

1905. Does that include agents' fees?—No, it is allowance to tenants.

1906. Lord Justice FitzGibbon.—Was that allowances, or abatements and allowances for buildings improvements?—One kind or another, allowances when they paid their rent.

1907. That would be an abatement?—I mean by an abatement, a permanent reduction, but this was a temporary allowance. On the southern estates the rent charges amount to £123, drainage rent charges £574, very heavy, we are in the Mulcade district, we had to pay immensely for it, and got very little benefit. Quit rent £5; poor rates paid by the agent, and not deducted, £34; small holdings, county cess, £21; income tax, £237. We have two tolls on the estate, one on the Tipperary, and one on the Limerick, and their salaries are £36, £10 to one, and £26 to the other. Public charges, £14 10s.—I don't know whether you will put that down as an outgoing.

1908. The Lord Chancellor.—I suppose it is a customary practice?—It is.

1909. What is it?—Well, public charges. Rev. Denis Hammer, rent received out of an old school-house in Tipperary. It was an old school-house we had used for our English school, and it was found unsuitable, and it was let, and we paid over £5 in out of it to the incumbent of the parish for the purpose of keeping up the parochial school, and then it is to the County Limerick Infirmary £5 6s. We have two school-houses on our land, one the Police, and the other the Deon school.

1910. These are National schools?—No, they are of our English schools, under our own managers, and we pay £28 15s. for one, and £17 10s. for the other. Remains on school-houses and allowances for fuel, and different things for the purpose of keeping the school going; do you want this for the purpose of balance?

1911. What is the exact net sum received by you?—There are some sundries coming in here, and some paid for repairs, £16, making drains and things of that kind; caretakers of unlet premises, £9 15s.; land court expenses, £17; attorney's bill of costs.

1912. You have not told us the agency part—I will tell you that. Low costs, civil bill costs, £13 14s.; grants to tenants, £39.

1913. What are those for?—One was for making a pump; repairs of a dwelling-house, and some small miscellaneous items, amounting to £1 15s. 10d.—That

there were receiver's fees. The way the agent is paid is 5 per cent. on the receipts, and the agent's fees on this account amount to £204 10s., and he had for postage and receipts, £3 10s.; the poor rates allowed to tenants, £204; and there were these statements and income tax, &c., allowed as per rental, £421. I think you have that already, and there was a small poor rate of 13s. 10d. And the balance was brought up by the arrears account of £6,338. No money ever comes from the agent direct to us, all rents as received are lodged in the Bank of Ireland to our credit. On this account the entire amount of lodgment was £5,150 out of the gross rental I have stated to you.

2014. The gross rental, I think you said, was £6,331—£5,199 18s. 6d.

2015. Lord Justice FRIZZGROVE.—As regards these western estates, your net income was, 1879, £3,103; 1880, £2,555; 1881, £3,501; 1882, £3,859; 1883, £2,418; 1884, £3,811; 1885, £1,646. Do these not make up £19,303, which divided by seven gives you an average income from these western estates of £2,757, which added to the average net income of the southern estates shows a net income from all your landed property, exclusive of Dublin, of £7,440. That seems to be about right.

2016. The Lord CHANCELLOR.—You have got a very heavy outgo for this drainage charge, and the poor rate and income tax is a very heavy item; in fact the only outgoings that could be avoided—if they could be avoided—would be this allowance to tenants of £620.

2017. Dr. TRAILL.—Is the drainage charge nearly expired?—No, it won't expire for some years, it is a terminable one.

2018. The Lord CHANCELLOR.—Then you give us as the net receipts of the southern estate last year, £3,150?—Yes.

2019. Rev. Dr. MOLLOY.—I see an item, Ardee Town Commissioners, £17 10s., which is entered in 1880, and again in 1881, it disappears in 1882, then it appears to be increased in 1883 to £22?—They paid up their arrears.

2020. In 1884 and 1885 it disappears altogether?—We have a great deal of trouble in getting that from the Ardee Town Commissioners.

2021. The Lord CHANCELLOR.—I did not know that you had property in Leath?—There was a grant made in aid of schools in Ardee; it does not come under the general class of property at all, it was a grant we received for the benefit of the schools.

2022. Rev. Dr. MOLLOY.—It was an annual grant made in 1856, and the people of the present day find it inconvenient to pay it?—They don't like paying it. Mr. Mansell, I think, can tell you more than I can on that.

2023. What power have you to recover it?

Mr. Mansell.—It is reserved by a very old deed, and the present Town Commissioners of Ardee took it expressly subject to it. They first repudiated the claim, but it turned out they were expressly liable to it, it was property of the former Commissioners.

2024. Rev. Dr. MOLLOY.—How could Commissioners of 1856 bind the Commissioners of 1885 to pay you?

Mr. Mansell.—It was property of the former corporation, and it was handed over to the Commissioners charged with that rent.

2025. Charged by an act of the Corporation of 1856? Mr. Mansell.—Yes.

2026. Lord Justice FRIZZGROVE.—The Dublin property is the next matter?—That is only a small thing.

2027. Where is it?—It is in Brunswick-street, a plot at the back of the Ancient Concert Rooms; we get a rent from Gregg.

2028. Then you are the landlords of the adjoining land to that school, and it is out of that the rent is received?—Yes.

2029. Are those households?—Yes, the tenants hold under leases, we get £48, and pay £50, but that includes the schools.

2030. Your net income is profit over and above the head rent?

Mr. Symon. The head rent is £50.

2031. Lord Justice FRIZZGROVE.—Then the receipts must be £90?—Oh no, there is a loss, we lose upon that, the house and premises in Great Brunswick-street produce a rent of £48 18s. 6d., we have to pay for the ground of those houses, and also the ground on which our schools are built, £50 a year.

2032. Then in the item of your expenditure, £171 8s. 3d. on the Great Brunswick-street Schools, there must be included the rent?—Quite so, I did not see that before.

2033. The next question is with reference to this Government stock?—I will tell you all about that, the Government stock is £12,876. £11,896 is put down as the price that is paid for it, this is a cash account; the stock is actually £12,876, but it was bought below par, and, therefore, the money paid was only £11,896; and by the system of bookkeeping, which I am told is the right and accurate way of doing it, it is put down at what it cost.

2034. I observe, that between 1881 and 1885, you sold some stock, I presume to meet deficiencies of income for expenditure which there was for some part of the year?—Yes. The Government Stock consists to a certain extent, between £4,000 and £5,000—of the produce of land taken by railway companies, and the cemetery company in Galway under the Land Clearance Act, and the residue consists of the Treasurer's poundage, and of the savings in former years. We can get you the whole particulars of the way in which it is composed.

2035. The next item is the Ardee Town Commissioners' payment; is that a payment in respect of any property that formerly belonged to Erasmus Smith?—No, not at all, the old Corporation of Ardee before the Municipal Corporation Act, made a rent-charge chargeable on their property for the purpose of keeping up the Ardee School, and that was granted to the Governors who at that time kept the Ardee School, paying the debts and receiving the fees.

2036. Then, in point of fact, this represents no part of the Erasmus Smith property, but a grant from a Corporation in connection with the system?—Yes.

2037. Dr. TRAILL.—But in point of fact your Board paid £300, it was on the condition that you should expend £300 in building?—Yes, in most of the cases the condition was that we should expend £300 in building.

2038. Rev. Dr. MOLLOY.—Out of what property do they pay this £17?—I suppose it is out of their corporate fund. There was some town property on which this was charged, and, as I understand, they took over this property under the Municipal Corporation Act charged with so much to us for ever.

2039. Did they contribute anything towards building the school?—I cannot tell.

2040. Lord Justice FRIZZGROVE.—I think we will ask you in that case to give us a written statement giving the particulars of the foundation of the school, and the nature of the property.

2041. Rev. Dr. MOLLOY.—I should like also to know whether it is paid out of property or whether it is paid out of rates collected now. Do you say that there was an actual property conveyed to them and charged with this annual grant?—That is my belief.

2042. Lord Justice FRIZZGROVE.—Let me read you this, at p. 71 of the Report of 1885:—

"In 1885 the Corporation of Ardee granted upwards of one acre offed as a site, and also a rentcharge of £20 a year, here currency, payable out of the Corporation property to the Governors of Erasmus Smith's Schools, they agreeing to build a school-house at a cost of £200, and keep it in repair, and pay the master a salary of £20 a year. The present Town Commissioners are dissatisfied with this arrangement."

I believe that is so. We pay over the entire rent-charge of £20 a year.

March 11, 1896.
The Vice-Chancellor.

March 11, 1896.
The Vice-Chancellor.

2043. You practically are at a loss by the Ardee School, but maintain it as one of your schools?—Yes.

2044. I see in each year you transfer to the credit of Treasurer's poundage fees a sum of money varying from £240 to £300?—Yes.

2045. Can you tell us the present state of that Treasurer's poundage?—I directed it to be made out. The amount now is £3,719 11s. 10d.

2046. In your "draft" scheme you state you had applied three Treasurer's poundage fees to establish a classical education in the Harcourt-street School; I don't see in the stock account against this Treasurer's poundage fees any charge for that?—I think that is a mistake in the way this account has been kept, which I have been endeavouring to get rectified. Probably you would defer asking me about this until we come to the question generally of the Harcourt-street School. There is another matter you might like to ask me about, Sarah Stephenson's legacy; that was a legacy left to us recently of £150. Sarah Stephenson was a lady living in Wexford; by her will of the 22nd June, 1878, she bequeathed £150 to the Protestant School of Ferns, and this was claimed by a society calling themselves the Dissident Orphan Society. When we were informed of this we took the opinion of counsel, and we determined that we could not give it up in this way; we said we would take over this legacy, less legacy duty, and apply it to the support of the Ferns School, one of the English schools.

2047. Then you at present apply that legacy towards the endowment of one of the schools?—Yes; it was sent to the Commissioners of Donations and they decided how the thing should be done, and we took it over from them and have it now to our credit.

2048. Am I substantially right in coming to this conclusion, that your average net income from your lands would appear to be something between £7,000 and £7,500 a year; your income from Government Stock is between £800 and £400 a year on the stock that you have at present, and, in addition to that, you have from your Dublin property, and from cess and other receipts, and from the Ardee gift, something less than £100 more, making altogether in round numbers a net income of a little more than £8,000 a year?—I don't say that is right; I have not made the calculation, but the balance sheets are all correct.

2049. Rev. Dr. MONTAGU.—In regard to the return about Ardee School, I would ask Mr. Mansell to look into this report. It is stated here that the Corporation of Ardee contributed £150 towards the building of the girls' school, and also £300 towards building the boys' school.—Report of 1887, vol. i, page 583.

Mr. Mansell.—We will have it looked up for you.

2050. It is stated here, which is an interesting fact, that this was the first school founded under the Erasmus Smith's Board of this kind?—Of this kind.

2051. The Lord CHANCELLOR.—Now would you tell us how your governing body is constituted, and the staff employed by you?—The governing body consists of thirty-six governors, including four from the Blincoot Hospital, seven of these are ex-officio. Shall I give you the names of the ex-officio.

2052. Yes?—The Archbishop of Armagh, and the Archbishop of Dublin.

2053. Lord Justice FRERGINSON.—You have given us a return of the attendances, and I observe neither the Primate nor the Archbishop of Dublin has attended since 1881?—The Primate was unable to come.

2054. The Lord CHANCELLOR.—And the Lord Chancellor I see attended once during five years?—You have the Lord Chancellor and the Lord Chief Justice.

2055. Lord Justice FRERGINSON.—The Chief Justice attended once in 1883?—Yes. (The Chief Justice of the Common Pleas appears to have attended once in 1881, once in 1885, and twice in each of the succeeding years.)

2056. The Chief Baron?—He attended once in

1882. None of your ex-officio are members of your standing committees, I believe.

The Provost is?—

Mr. Brown.—No.

2057. The Lord CHANCELLOR.—That is seven ex-officio members, and four chosen from the Governors of the Blincoot School, the rest are co-opted members. You are the Treasurer?—I am the Treasurer, and have been since 1872.

2058. Lord Justice FRERGINSON.—I find in 1880 there being 9 board meetings, and 19 standing committee meetings, you attended 9 board meetings, and 18 standing committees; in 1882 you attended all the meetings; 1883, 9 board meetings, and 24 standing committees, and you attended the whole of them; 1884, 7 board meetings, and 17 standing committees, and you attended again the whole of them; and in 1885, we all know you were unwell for sometime, I see, nevertheless, you attended six out of 8 board meetings, and 14 out of 16 standing committees. Your score on the occasion of the last Committee was 173 meetings, out of 174 in five years, and it is now nearly as good.

Mr. Pennistone.—Not only that, but he does all the work there.

2059. Lord Justice FRERGINSON.—How many of your Board attend sufficiently often to take a practical part in the work?—Not more than twelve. Mr. Gosse, Mr. Pennistone, Mr. Pilkington, Dr. Peck, Mr. Nugent, and the Vice-Provost are very regular attendants.

2060. How many are a quorum on your standing committee?—There is no fixed quorum, generally we think we ought to have three; occasionally I have had to get on with only one, but that very seldom happens.

2061. Do you propose by the scheme gulling all of the ex-officio members?—Yes, except two; the two we propose to keep are the two Archbishops.

2062. The Lord CHANCELLOR.—You don't propose keeping the Provost as an ex-officio?—No, for this reason, we should always have the power of sending him, but he should not be a governor as of right, is now one of any religion may be Provost.

2063. Lord Justice FRERGINSON.—Apart from your ex-officio you have a considerable number who have not attended at all during the five years, or only very rarely, have you any rule as to replacing anyone who does not attend?—The charter says that if anyone does not attend for two years, we may if we like declare his office vacant, but we have never done so.

2064. Dr. TRAILL.—Would that apply to ex-officio members?—No, I don't think so. We really have never experienced any practical difficulty in the working of the Board.

2065. Lord Justice FRERGINSON.—What is the quorum of your Board?—Five.

2066. Have you ever been obliged to adjourn?—Board for want of a quorum?—Once we had.

2067. Have you any practical difficulty in getting a quorum?—None whatever, a moderate number attend very regularly.

2068. The Lord CHANCELLOR.—What is the number you propose by your scheme for the governing body?—Twenty-five including two ex-officio, and the four Blincoot Hospital men.

2069. Lord Justice FRERGINSON.—Who are the four Blincoot Hospital Governors?—Mr. G. W. Mansell, Mr. Osse, I don't remember the others.

2070. The Lord CHANCELLOR.—How often are the board meetings held, are they stated meetings?—There are only two stated meetings, May and November.

2071. How is the time for holding Board meetings fixed?—By me, at the commencement of every year. With the assistance of the Registrar, I make out a list of what would be convenient days for Board meetings in the year; also standing committees, and putting a couple of summer months out of consideration, you

may say there are practically two meetings every month of the standing committee and Board.

2072. That is to say you have something over twenty-four meetings in the year?—We have at least that, and when anything special occurs I have the power of directing a special meeting of the Board or committee to be summoned.

2073. What is the class of business that comes before the Board meetings?—The Board meetings have the election of free pupils, the election of governors, the making of any document—no document can be sealed except at a Board meeting—and if a grant for a new school is applied for that must go to the Board, or if we were seeking to discontinue an existing school that goes to the Board; and besides there are a great many special references to the Board when we think in the standing committee we should not dispose of them. A great many matters in reference to tenants have been referred to the Board. The practical working is done by the standing committee.

2074. Dr. TRAILL.—How many of these good attendants that are given here are persons not on the standing committee?—Practically they are the same persons.

2075. Lord Justice FRYGROUSE.—I presume if a vacancy occurred on the standing committee you would look out for one who was a good attendant on the Board to fill it?—Always do, and we have found it to work very well. There is the Rev. W. C. Groome on the standing committee, Mr. Penzance, Mr. Pilkington, Mr. Nugent, Dr. Poole, the Dean of the Chapel Royal, Mr. G. W. Mansell, Mr. H. P. Jellie, the Vice-Provost and Dr. Carson.

2076. Then the good attendants on the committee are the same men who attend well on the Board?—Yes.

2077. The Lord CHANCELLOR.—What is the staff you employ?—The official staff consists of the registrar, £250 a year.

2078. What are the duties of the registrar?—The registrar is in fact the executive officer.

2079. Does he keep the books?—No, he has nothing to do with the book-keeping; he makes all the payments. Petty payments are made by him in cash, for which cheques are drawn in his favour, that is only small sums, not exceeding £5, and he also has the obtaining of all drafts from the bank, and bank orders for payments of all salaries. He is bound to transmit them to the different parties, obtain receipts and vouch them before the auditors. He is bound to keep the correspondence and all letters.

2080. Does he keep the minute book?—He keeps the minute book.

2081. Lord Justice FRYGROUSE.—But besides the Registrar?—The accountant, he gets £150, he keeps all the books, and his duty is to assist in all writing work, and if the registrar is not available he is bound to do his work.

2082. Dr. TRAILL.—Is not the registrar also the treasurer of the Harcourt-street school?—That is separate altogether, and there is a special salary. The ledger and journal are altogether kept by the accountant, the registrar keeps the minute book and cash book.

2083. Lord Justice FRYGROUSE.—Have you any other officers?—None, whatever.

2084. The Lord CHANCELLOR.—Where is your office?—We purchased the House of St. Patrick's House in Harcourt-street, at great expense, we have fitted it up as an office, and the upper part of the house is the residence of the head master. And in the garden, that large building you see, was built entirely by us as a school-house.

2085. Lord Justice FRYGROUSE.—Do you mean to say your whole clerical staff is maintained for £250 a year?—I do.

2086. Including all the work of secretary to your board and accountant?—Yes. The solicitor is not paid by salary but by his costs, and his costs are taxed by the solicitor to the Bank of Ireland. Of course in

the house there is a porter, and a housemaid in charge of fires, and all that kind of thing.

2087. The clerical staff costs only £350 a year, and consists of two officers?—Yes.

2088. The Lord CHANCELLOR.—Who audits the accounts of the agent?—The registrar. That was added to the late registrar's duties some years ago. The salary was £150 and when the audit of the accounts was imposed upon him his salary was increased.

2089. Does he report to the board his having audited the next account?—He does, and afterwards on the annual audit he reports to the auditors.

2090. Who do you get to audit the accounts?—They are always audited by two of the board. The late Mr. Digges La Touche, and Mr. J. Vesey Nugent, were for many years the auditors, and when Mr. La Touche died Mr. Pilkington was appointed with Mr. Nugent, who is one of the governors of the Bank of Ireland, and thoroughly conversant with accounts.

2091. Lord Justice FRYGROUSE.—What makes up the salaries and emoluments that appear in the account last year, £444 16s. 8d.; £350 you have given us?—We are getting now rather into the teaching staff.

2092. The Lord CHANCELLOR.—Do the pensions mentioned here include the pensions to the teaching staff?—The only pensions payable are pensions to the teaching staff.

2093. Lord Justice FRYGROUSE.—Looking back to your accounts, I see the office expenses £341 15s. 5d. in 1883, £341 in 1884, and in 1885, £444 16s. 8d.—I think there are three half-years in that.

2094. That may be. Or had you any annual payment of £100?—Oh, we had, you are right. At the time we were in such difficulties with the tenants, the amount of the office business increased greatly, and for three years at least, it added very much indeed to the labours of the registrar, and accordingly the board took that into consideration, and thought it was only just and right to make him a grant of £100, for his extra services.

2095. Your office expenses are far and away less than the Royal Schools, and considerably less than even the Incorporated Society, which was very small?—Then there is £1 a week paid to the porter, who has the charge of answering the door, he and his wife are housekeepers, and he has the lighting of all school fires.

2096. Which is that charged to in your account, to incidental or Harcourt-street schools?—It ought to be charged to incidentals.

2097. The Lord CHANCELLOR.—Now, perhaps you would be good enough to tell us that grammar schools that are under your board. Before you go into the subject, I presume no school has any particular portion of the estate attached to it, as is the case with the Royal Schools?—None. Tipperary, Galway and Drogheda are the original schools.

2098. As regards Tipperary, what is the attendance there?—The last return gave forty-nine boarders.

2099. Lord Justice FRYGROUSE.—What is the date of that return?—Forty-nine pay boarders, four free day boys.

2100. The Lord CHANCELLOR.—How many of the boarders are free?—None.

2101. Lord Justice FRYGROUSE.—Looking to the report of 1880, I find forty-eight boarders in Tipperary, and twenty-eight boys to have been at the school in the previous year. Do you know how the day boys have diminished?—I cannot tell you. I don't think there are so many day boys in the country now.

2102. The Lord CHANCELLOR.—Who is your master at Tipperary?—Mr. Lindsay, a clergyman.

2103. How long has he been there?—Eight or nine years.

2104. What do the boarders pay?—Fifty guineas a year, and if there are two brothers they pay forty-five guineas each.

2105. Do the fifty guineas go to the master?—It goes to the master; we have nothing to do with the receipts of the schools. We pay each master £100 a

March 11, 1886.
The Vice-Chancellor.

March 21, 1878.
The Vice-Chancellor.

year salary, and for under masters we allow in some of the schools £100, and in others £90. To avoid confusion, I should mention to you Ennis. At the latter end of the last century, Ennis came to be founded as a grammar school, and from that out it has been treated on the same footing as every other grammar school.

2105. Lord Justice FitzGibbon.—Does your present Tipperary master get no allowance for himself but £100 a year?—That is so, except that he gets either £100 or £200 for an assistant master.

2107. How are the assistant masters paid?—I wish to explain to you that in Tipperary we don't pay the assistant masters directly, the money goes directly to the head master for the purpose of paying them.

2108. Dr. TRAILL.—Would he have part of that salary for himself if he did not pay it over?—No, he must vouch his payments to us.

2109. Lord Justice FitzGibbon.—How much do you allow for assistants?—£100.

2110. He has a free house?—A free house kept in repair.

2111. Has he any allowance for servants?—None. He was appointed in 1875.

2112. The Lord CHANCELLOR.—He has the use of the school and buildings and ground, do you keep them in repair?—We do, except painting and repointing, and that kind of thing, that he is supposed to do. We keep the outside and do any substantial repairs and improvements.

2113. Dr. TRAILL.—Landlord's repairs?—Yes.

2114. The Lord CHANCELLOR.—Do you supply any of the equipment or furniture?—That is a point I cannot tell you, I don't think any of us know. It has been done in one or two instances, but in general it is not. Heavy tables and desks I know we supplied in Drogheda.

2115. Substantially, the master in Tipperary gets the use of the school buildings, and school ground, substantial repairs are done by the Board, and in addition he gets £200?—Yes.

2116. Dr. TRAILL.—How many acres of ground has he?—Nothing but the playground.

2117. Rev. Dr. MOLLOY.—I see an item in the accounts of Intermediate Education results fees, are those paid by your Board or are they remitted from the Intermediate Education Board?—From the Intermediate Education Board. I think that applies only to Harcourt-street School.

2118. The Lord CHANCELLOR.—What is the tenure of the master?—During pleasure. He is appointed by a written appointment under seal.

2119. Lord Justice FitzGibbon.—You inspect the schools?—There is a rule of the Board that is carefully enforced, that our architects, Messrs. Miller and Symes, who are architects to the Bank of Ireland, inspect the schools.

2120. What do you pay them?—They are paid so much a visit. They are bound to inspect every grammar school once in three years, and report on the state of affairs.

2121. The Lord CHANCELLOR.—That is, as regards the inspection of buildings?—They make out a schedule appertaining the repairs they think necessary between the governors and the head master.

2122. Do you apply to the head masters to make the repairs?—They are supposed to do it, but they apply to us often not to be too hard upon them, and we very often do more than we ought to do.

2123. Dr. TRAILL.—What do you pay the architect?—Ten guineas each visit. In addition to that there is a most valuable inspection not only of the education, but of the buildings themselves, by our Inspector of Grammar Schools.

2124. Who is your inspector?—Reverend Thomas Gray, F.R.C.P.

2125. The Lord CHANCELLOR.—How often has he to inspect?—Twice a year, once on notice and once without notice.

2126. Lord Justice FitzGibbon.—What does he get for that?—£100 a year and travelling expenses.

2127. Then you inspect your whole grammar schools each year at an expense of under £300?—He gets £100 and his travelling expenses each year. He has five of printed returns, an inspection report, with names of school, date of inspection, number present, distinguishing boarders and day boys, number of absent boys, total on roll. Then it goes into the writing from dictation, and gives the answering of all, classifying them in the different subjects—arithmetic, algebra, Euclid, trigonometry, Greek, Latin, history, geography, Scripture and Church catechism.

2128. Dr. TRAILL.—Does he examine the pupils in all these subjects?—Every one of them, and he inspects the teachers besides, so that, between the annual inspection of the architects, he is able to report to us anything he sees out of repair, and I believe there is no more useful expenditure of any of our funds than that £100 a year, which is a new thing; and he inspects the Harcourt-street School as well as the grammar schools.

2129. Lord Justice FitzGibbon.—For the £100?—Yes. In the scheme we have put forward, we have said nothing about the inspection and audit, for we did not know how to deal with them. But there is one thing we should be anxious about, and that is, if there is to be an inspection it ought not to supersede our own inspection. I don't object to your having additional inspection if you like.

Rev. Dr. MOLLOY.—We are bound by the Act of Parliament to have an inspection in all cases.

2130. The Lord CHANCELLOR.—Now, as to Galway?—Mr. Biggs has £100 a year.

2131. What does he get for his assistant master?—In that school there is one of the old masters who holds his appointment directly from us, as our servant, and gets £100 a year.

2132. Lord Justice FitzGibbon.—Take that attendance first?—Forty-seven boarders, 22 paying day boys, and 12 free day boys.

There is a very large increase, I observe, in the number of boarders in Galway since 1891.

2133. The Lord CHANCELLOR.—How much do the boarders pay?—£24 a year.

2134. Is the amount charged by the head master fixed by your Board?—It is charged with our sanction, but not fixed by us, and it cannot be altered without our sanction; the charge is £45 in the case of two brothers.

2135. There are no free boarders?—No, in none of the schools. The day boys for the general course with one language pay £3 a year, and for each additional language pay £3 a year, and there are reduced fees for boarders. The master takes eight boarders at £10 a year each, and one of £15.

2136. Lord Justice FitzGibbon.—What is the ground of the reduction?—I cannot tell you; that is an arrangement of his own. I expect that £25 must be for one of the clergy's sons. Mr. Biggs gets £500 for his own salary, and £20 for the master's, besides the services of the usher.

2137. The Lord CHANCELLOR.—Has the usher been three long?—Over twenty years.

2138. Now, as regards Drogheda?—Mr. Alderson is the head master.

2139. First the attendance?—Thirty-nine boarders, six paying day boys, and three free day boys.

2140. What do the boarders pay?—£24. There is a reduction of £3 each for brothers, and the day boys pay £15, with a smaller reduction in the case of brothers. Then there are four boarders, three of whom are from the Clergy Sons' schools, that he takes at £10 a year, and one at £30.

Lord Justice FitzGibbon.—I observe, again, in Drogheda, the boarders have increased from twenty-five to thirty-nine, and the day boys have decreased from eighteen to nine.

2141. Dr. TRAILL.—Hasten the closing your grammar

schools been simultaneous with the fall in the Royal schools?—I know Mr. Aldhouse has been only a short time there. When he got there it was in a state of ruin from the previous master, he had to work uphill, and it is only now his school is getting into order. We find him a most efficient man.

2142. Rev. Dr. MOLLOY.—Is he an Irishman?—No, an Englishman. He was head master of Tate's school at Wexford for several years, and when Drogheda became vacant, we had heard a high report of what he did there, and when he applied we appointed him. He was an assistant master; I don't know whether at Boyle school or Monaghan.

2143. Lord Justice FRYNGROVE.—When you speak of the school being in bad order under the previous master, was that a master removable at pleasure?—Yes.

2144. Did you remove him?—We did remove him. 2145. How long was it going to ruin?—We did not know how fast it was going to ruin, but we found it out afterwards—we had no suspicion at that time.

2146. Such a thing could not happen now?—No.

2147. Rev. Dr. MOLLOY.—When did you adopt inspection?—About 1876.

2148. Lord Justice FRYNGROVE.—The school has improved since 1876?—Very much, in every way. The head master charges high for day boys, but he has a very good staff of masters. He has £100 for himself, and £125 for assistant masters.

2149. The Lord CHANCELLOR.—Now, Mr. Smith?—Fifteen boarders, fifteen paying day boys, and one free boy—thirty-one altogether. Mr. Flynn is the master. He has £100 a year for himself, and £100 for assistants. He is a very good man—an excellent schoolmaster; but he is heavily weighted down there.

2150. Lord Justice FRYNGROVE.—In what way?—They tell me it is too near Galway—there is not a sufficient space to feed it. Galway is considered a better school, and draws away boys that might be expected to go to Ennis. We consider Ennis a badly placed school.

2151. We find it reported before that Mr. Flynn had just been removed from Deniskil, and he was so popular in his former place, Deniskil, that "he has brought all his boarders with him, and he has since obtained others from different parts of Ireland," and, notwithstanding, I find Ennis has fallen from thirty-nine to fifteen?—Yes; three boarders went away, and he did not get others. We find very much for Mr. Flynn, and think he is fighting an uphill battle.

2152. In your opinion it is the locality that handicaps him?—That is the general opinion of the Government.

2153. Rev. Dr. MOLLOY.—Is there a population there requiring this kind of education, that would be content to accept the conditions under which it is given?—We doubt that very much, and the wish of the board is to get power from you under the scheme that is to be settled, to discontinue Ennis.

2154. The Lord CHANCELLOR.—These are your four grammar schools?—They are. Before passing that, perhaps you would allow me to say, as a general observation, we consider our grammar schools are not adequately supported by us. We think it would be a great advantage to the cause of intermediate education, if our grammar schools were assisted more out of our funds than they are, and one of our objects in discontinuing a large number of our English schools was that, if possible, we might be able to afford additional assistance to our grammar schools. One reason was, that there was a reduction in our income; and also, that if we can save money from the English schools under certain circumstances, we may give additional assistance to the grammar schools, especially in the way of help for the assistant masters.

2155. What is the amount of money you spent last year on the four grammar schools?—£3,423.

2156. Lord Justice FRYNGROVE.—In the previous

year it was £1,461, and the year before £1,337?—Yes.

2157. The Lord CHANCELLOR.—Are you speaking of the four grammar schools?—Yes.

2158. The amount you paid to the masters comes to £875?—The expense of repairs is very considerable, and what brings it up to that large figure, £3,400, was, that we spent about £1,200 on additional buildings in Drogheda.

2159. What about the repairs?—I can make it up if you will, but I have not got this moment.

2160. Lord Justice FRYNGROVE.—Among the statistics you give us there are twenty free boys, but they are all day boys, there is no evening for them, and you make no payment to the master for teaching them beyond his £100?—No; he is bound to teach twenty in each school if we can get them, but practically there is no sufficient demand by day boys for education in these schools. In Galway, there are many; Drogheda, a few only; Tipperary and Ennis, there are a few.

2161. Then £875 is what goes to teaching, is the rest made up entirely of expenditure on the fabric?—So you supply books or anything of that kind?—No. In many cases we have to rent playgrounds and cricket-fields that would go into the account of incidentals. We almost always leave it to the head master whether a boy applying for admission on the free list as a day boy, should be admitted or not. There have been two or three cases on which boys were so plainly of a rank of life below the other boys, that we thought that if admitted they might injure the prestige of the school, but that is a matter of rare occurrence. The smallness of the number of day boys does not result from a refusal to admit, because the refusal to admit is very rare indeed, and the boys are taken from all corners, and we generally put all on the list that the schoolmaster recommends. It might not be fair to put a boy whose parents could pay on the free list, and therefore it is left to the master.

2162. The Lord CHANCELLOR.—By whom is the application made to you?—By the parents of the boy; they fill up a form stating the profession and calling, and the means of the parents, and that is sent in then to the head master, and there is no distinction whatever as to religion, as to the admission of these boys to the school.

2163. If the master reports in favour of the admission of a boy you say that as a rule he is admitted?—Yes.

2164. Although there are some cases in which you thought, owing to the position of the boy or his parents, he ought not to be admitted and did not admit him?—That is so.

2165. If the master reports against admission, have you ever admitted a pupil?—No, as he is on the spot, we consider his best opinion.

2166. Professor DOUGHERTY.—Have you any denominational return of the boys receiving free education?—Yes, I have them here. At Tipperary there are one Presbyterian day boy, and three Roman Catholic day boys.

2167. Dr. TRAILL.—Are these free?—No, paying.

2168. The Lord CHANCELLOR.—What are the boarders?—They are all Church boys.

2169. The four free boys at Tipperary?—Church boys.

2170. Professor DOUGHERTY.—Then the free boys all belong to the Church?—The free boys in that school do.

2171. The Lord CHANCELLOR.—Galway?—There is one Presbyterian boarder, three other Protestant dissenting boarders—that is all. There are two Presbyterian paying day boys; and there are five boys, 5 Church, 1 Presbyterian, 2 of other Protestant denominations, and 4 Roman Catholic free boys. Next in Drogheda; there are 2 Presbyterian free boys, all the rest of the boarders and paying day boys are all Church boys. Then we come to Ennis; there is 1 Presbyterian day

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boy, and 1 Roman Catholic, the rest are all Church of Ireland boys.

2172. Rev. Dr. MOLLOY.—I think you mentioned, Vice-Chancellor, that there are two visits paid by the Inspector every year, one with notice and the other without notice.—Yes.

2173. Do you find that there is a sensible difference in the attendance?—I don't think there is, we never remarked it.

2174. As far as I can see from the returns furnished to us there is not any very striking difference except in Galway. I find in one report, September, 1883, the total number present was 78, and in March, 1885, the total number present was only 52: that seems to be a very striking difference?—I don't know. Mr. Gray will be able to tell you about that.

2175. Can you say, Mr. Gray?

Rev. Mr. Gray.—I can find that out by looking at my own notebook.

2176. Rev. Dr. MOLLOY.—I have compared the returns, and at two visits in all the schools I find there is no sensible difference in the number present except in Galway. I must say I think you get very good value for your £100, Vice-Chancellor.

2177. The Lord CHANCELLOR.—Perhaps you would tell us how Harcourt-street came to be founded?—About 1807, before I was on the floor, the Government thought that there was a want in Dublin of a really good intermediate school, and accordingly, as they had funds—at that time we had plenty of money—they thought a very good use to make of them would be to set up a thoroughly good day school, but the question was how they could legally do it. The Act of George enables us to set up English schools, but an English school would not provide for what was wanted, because what was wanted was a thoroughly good school preparation for the Universities and the different professions, and for business, and accordingly after a good deal of consideration the plan they arrived at was to purchase the premises in Harcourt-street, expend some of their savings to the amount nearly of £5,000 upon building the school-house premises, and starting it as a first class English school, with high class mathematical instruction.

2178. Rev. Dr. MOLLOY.—By an English school, you I right in supposing you mean a school in which Latin and Greek are not taught?—That is so, we use it rather as a technical expression.

2179. Then what is the technical meaning?—It originally meant the distinction between the grammar schools and the English schools. The English schools were those schools throughout the country, like a parish school. The grammar schools are the schools preparatory to the university.

2180. The English schools are commercial schools?—Hardly that, ordinary parish schools, and English schools are those where English is spoken.

2181. And a grammar school is one in which Latin and Greek is taught?—The plan arranged was that they should establish a first-class school in which neither Greek nor Latin should be taught as a necessary part of the school course, and they superadded a classical department; and the classical department was to be provided by applying the only free fund we have, which is the Treasurer's pension fund, which we can apply to any charitable use we think fit. And in that way the Harcourt-street school was started with the best teaching we could get, paying masters £1,400 a year.

2182. The Lord CHANCELLOR.—Originally you paid that?—Yes, and we pay it still. We started it with a head master at £400, senior mathematical master, £250, Mr. Porter, first bookman and gold medalman in College; and then there were under-masters at £100 and £150 for the younger classes, and then a classical department was superadded, and we put in a classical master at £350 a year; and then we have a French and German master.

2183. Rev. Dr. MOLLOY.—Does your head-master teach classical?—Our first master, Mr. Crosswell, did, and so does the present head-master.

2184. The Lord CHANCELLOR.—Who is your present head-master?—Mr. Wilkins.

2185. The Lord CHANCELLOR.—Do you still pay £1,400?—Yes, I will explain it to you. That worked on very well for a while. Under the first master the school did not succeed very well, and the consequence of it was that it was a drain on our resources amounting to £700 or £800, or something more, which we had to pay out of our funds.

2186. You mean over and above the £1,400?—Oh, no; the loss of the school went to pay the expense of the school as far as they reached. The head master did not at that time receive any of the fee, he received £400 a year, and had a furnished house in Harcourt-street, and coals and gas. The master has all the upper part of that fine house. The school did not succeed every year there was a constant drain of £700 or £800 to supplement the deficiency of the payments of the boys. We paid that, and were obliged to pay it, as far as regarded the classical department out of the Treasurer's pensionage, and as to the English department, out of the general fund. We changed our master; he got promotion in England, and left, and we appointed Mr. Wilkins, and Mr. Wilkins has worked the school up with such wonderful success that it is almost entirely self-supporting.

2187. Do you mean the fees of the pupils are sufficient to meet that expense of £1,400 a year?—They are not now, the whole deficiency that we had to pay on the last account, I am told, was £180.

2188. Lord Justice FRYMANTER.—There is another way of putting that from the other side, and I may well tell it to you.—"The school seems to have been started as a charge upon the Revenue's funds, but since it has succeeded the governors have made it bear all its own expenses, except repairs and rent of buildings. This shifting of support is much to be regretted."—I must emphatically deny that fact was ever a shilling apaid on that school from the day it was originated to the present moment. We have been throughout paying the same salaries of £1,400 a year to the different masters.

2189. That means that if you were still allowing a charge to fall upon your funds it might increase the salaries?—Mr. Denham, the learned, shows me that the payments to the masters were increased from 1880 to 1885: £1,425 in 1880, and in 1885 it was £1,575.

2190. Professor DOUGHERTY.—That means additional masters appointed?—Additional masters appointed and additions to salaries.

2191. You have not allowed the head master to participate in the prosperity of his school?—We have in this way; the arrangement we make with Mr. Wilkins is this, we pay him £400 a year and a capitation fee upon every boy over 150, and in that way he participates in it, and if he is as well satisfied with us as we are with him, we shall get on very well.

2192. The Lord CHANCELLOR.—Could you tell us first what the income from fees is?—The receipts from the boys in 1880 was, £1,272, the receipts from the boys in 1885 was £2,370.

2193. Well, in 1880 your Harcourt-street school appears on your accounts as a charge of £375 11s. 1d. in 1885 it appears as a charge only of £180 1s. 1d., so that whatever additional teaching there may be you have reduced the difference between the expenditure and the receipts by £400?—Yes.

2194. Rev. Dr. MOLLOY.—Then the experience of the school would seem to show that if a school is started with a considerable expenditure, and made thoroughly efficient and successful it can come to a condition in which it will be practically self-supporting?—I think so, it has been our experience. I must say that we have an exceptionally good master in Mr. Wilkins, and he can hand you in one of his lists of University distinctions obtained by his pupils.

2191. Professor DOUGHERTY.—You must also take into account that Dublin is an exceptional locality!—Of course, it could not occur anywhere else.

2192. Rev. Dr. MOLLOY.—Now about the result fees!—Arrangements were made that co-scholar was to go to the head master as a house, one-third to the assistant master, and one-third to the school library. We don't require the last now, and it is handed over to the head master to be distributed among him and the other masters. There are prizes for the boys, the master expands that money as far as necessary in prizes for the boys.

2197. The Lord CHANCELLOR.—It is a day school!—Yes.

2198.*Now tell us the number of boys attending!—Mr. SWAN.—The number of boys for the last quarter is 278.

2199. The Lord CHANCELLOR.—Does that mean the number on the roll?

Mr. SWAN.—On the roll.

2200. Lord Justice FITZGERSON.—The master has returned: 1880, 164; 1881, 193; 1882, 246; 1883, 200; 1884, 259; 1885, 263; and last quarter of 1885, 273; and Mr. SWAN says the first quarter of 1886 is 278.

Mr. FITZGERSON.—The number the Governors expected, after it had been in working order, was 200; it has come very near to it.

Vice-Chancellor.—In the school we have twenty free boys.

2201. Lord Justice FITZGERSON.—Who are they, where do they come from, and how do they get in?—They are elected at the meetings of the Governors held twice a year, in June and December.

2202. Where do they come from?—From Dublin, chiefly.

2203. Are they required to be scholars in any school of yours?—No, the qualifications required are the necessities and merits of their parents. All the candidates are obliged to send in their applications and memorials a certain number of days before the election; their cases are all gone through by the Standing Committee, who go into every case, and examine as far as they can into the circumstances of the parents, and the ages of the boys, and so on. Then all these boys are sent to Mr. WILKINS for a qualifying examination, and he thoroughly examines them, and he reports to us upon every individual boy that is a candidate for admission, and we elect from them, and in that election the merits of the boys as reported upon by Mr. WILKINS are an important element in our consideration, but it does not at all approach a competitive examination, for we give appointments to boys because we believe they are deserving and necessities.

2204. Professor DOUGHERTY.—But you admit the principle of competition to a limited extent?—Yes, for if Mr. WILKINS reported a certain number of these boys as stupid and not likely to benefit by the school, we put them aside.

2205. Lord Justice FITZGERSON.—Then it is a test of the capacity of the boy to receive further instruction?—Yes.

2206. Dr. TRAILL.—How many applications have you for the places?—There are generally two places each half-year, and we generally have fifteen or twenty applications.

2207. Lord Justice FITZGERSON.—What is your present staff at Harcourt-street?—Mr. Foster is head mathematical master, he is an ex-scholar of Trinity College, first senior moderator, gold medalist, Lloyd exhibitor, and Bishop Law's prizeman. The head classical master, Mr. George WILKINS, ex-scholar, senior moderator, Berkeley gold medalist, and Vice-Chancellor's Latin medalist. He is a brother of the head master. Mr. COONEY who has been a long time with us, is a very efficient master, ex-mathematical scholar of Trinity College, he teaches the second class. Then there is Mr. McNeill, senior moderator and gold medalist in history; Mr. Wills, first of the first honours in Classics; Mr. Hackett, moderator in ethics and

logic; Mr. Bourke, certificate from the Church Educational Society; Mr. Fahy, formerly master for seven years in Newcastle-under-Lyme Endowed School; and Mr. Parker.

2208. What does Mr. Bourke teach?—I cannot say.

2209. Have you drawing?—There is a drawing master, Mr. Smith, and there is the Rev. Oscar Kraemer who teaches French and German. The Rev. Morgan Jelliffe is catechist, and he has an assistant catechist, Mr. Webster; and we have a drill sergeant.

2210. Then your staff consists of nine teaching masters in addition to the head master, drawing, and foreign languages, and catechist?—Yes.

2211. Is it true that the head master has no control in appointing or dismissing his assistants?—That has been changed, the Board now allow Mr. WILKINS to appoint and dismiss.

2212. Do you find that a more satisfactory arrangement?—It is the general opinion of the Board, I hesitated myself about it.

2213. Dr. TRAILL.—That does not refer to the masters appointed before the new rule?—No, only those appointed after the resolution.

2214. How many masters are under the old regime?—Young Mr. WILKINS was appointed since by the head master, his brother. Mr. Foster it does not apply to, nor Mr. COONEY. I am not sure about Mr. Bourke. Mr. SWAN.—Mr. Bourke is not there now.

Vice-Chancellor.—All the masters except Mr. Foster and Mr. COONEY. The head master is obliged to submit the same to us and his qualifications.

2215. Lord Justice FITZGERSON.—Another master reported on about the free boys is that there is no test to keep them up to the necessities of their place, what do you do about that?—Mr. WILKINS every half-year makes a special report about every one of the free boys, his conduct and attendance, and advancement in proficiency, and the committee go through those cases at their next meeting after the report comes in, and we either censure them, or direct them to be publicly reprimanded, or dismiss them.

2216. Have you as a matter of fact dismissed any of them?—Several.

2217. Do you leave the dismissed to the head master?—No, neither appointment nor dismissal; we always strictly retain that in our own hands.

2218. Dr. TRAILL.—Would you keep a boy in the school against the opinion of the head master?—Not if the head master supplied us with sufficient information. We would give the greatest weight to his opinion, but we would not allow him to adjudicate on it; that remains with us.

2219. The Lord CHANCELLOR.—What is the payment made by the boys who are not free?—There are two departments in the school, a senior and a junior school. The ordinary fee for boys, including stationery and drill, is £8 a year in the junior school; then there are extra subjects £3 a year either Greek or Latin or both; 30s. a year for French; 30s. for German, and £3 for drawing.

2220. In the senior school?—The difference of the senior school consists in the extra subjects.

2221. Now as a matter of fact how many of the boys learn classics?—I think I must refer you to the head master for that.

Rev. Dr. MOLLOY.—The average fees paid by the boys may be roughly said to be £10.

2222. Lord Justice FITZGERSON.—Latin only, there are 220 out of 263; Greek and Latin, 124 out of 263—that is about half the school?—There is no difference in fees between the junior and the senior boys for the general courses; but the junior boys get an elementary education in Latin and Greek free, and when they go up for a higher classical education they pay extra, but they get high mathematics free.

2223. The Lord CHANCELLOR.—Is there any limit of age?—Only for the free boys, from ten to twelve for admission.

2224. Is there no limit of age for paying boys?—I think that is left entirely to the head master.

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2225. **Rev. Dr. MONAGHAN.**—With regard to the appointment of the masters, I think you said they are appointed to hold their office at the pleasure of the Board?—Yes.

2226. Do you find you get efficient masters under these conditions?—I think so.

2227. And on the whole you are satisfied with the working of that system?—I am. I don't recollect that in any case of a grammar school, except one, the governors ever removed any master against his will; and none of our schools have ever been vacant during any term of office that we had not a great many eligible candidates for it.

2228. **The Lord CHANCELLOR.**—The one in Brunswick-street is one of the English schools?—Brunswick-street is strictly an English school as far as we are concerned, and in that we give as good a commercial education, including mathematics, as the boys require. We have an excellent master, who has been for a great many years there, Mr. Port, and that school is very much run upon by the commercial classes. We have twenty-five boys there.

2229. *What is the attendance of paying boys?—I have not got the returns.

2230. The education there is purely of an English character?—I believe it is; except that they can get Latin if they like to pay for it.

2231. Is it intended, then, to fit boys for commercial pursuits?—It is to put them into banks and shops, and some very successful boys have been turned out.

2232. What do you pay the head master?—£100 a year.

2233. And he is allowed to keep the free?—Yes; to get all he can out of the school, except that we require to have our free boys taught.

2234. **Dr. TRAILL.**—Are they day boys?—Yes.

2235. **Professor DOUGHERTY.**—Have you any instruction in modern languages?—Brunswick-street?—Not that I know of; the governors don't require any. Whether there is any arrangement between the head master and the boys, I don't know.

2236. The boys are trained for commercial pursuits in the institution?—They are. We find it one of the most useful of all our schools.

2237. Are they a different class of boys from those in Fitzwilliam-street?—They are; and it very often happens that a boy who cannot get in free into Fitzwilliam-street is very glad to go in under Mr. Port.

2238. Are the fees very much less there?—They are.

2239. **The Lord CHANCELLOR.**—In addition to the Brunswick-street school, how many other English schools are there?—Forty-three.

2240. Have you a list of them?—Yes, they are appended to the draft of the scheme; they are in all parts of Ireland.

2241. **Mr. MONAGHAN.**—I can give the numbers at Brunswick-street—members of the Church, forty-two on the books; Protestant Dissenters, thirteen; and one Roman Catholic; total, fifty-six.

2242. **Lord Justice FITZGERARD.**—This school would appear to be about steady. There were 100 pupils on the roll in 1835, an average attendance of eighty-four; but in 1859 there were sixty-three boys present.

Mr. MONAGHAN.—There were sixty-six on the roll and sixty present last time inspected.

2243. **The Lord CHANCELLOR.**—Now, I see there are forty-three English schools, five of which are female schools?—Yes, and a great many mixed.

2244. Would you tell us, now, generally on what system you deal with this school or manage them; what grants do you give them, to begin with?—The system with regard to the English schools is this—most of these schools were built by the governors on grants of sites, which they obtained after the passing of the charter of William. These grants were generally made to us on condition that if the schools should cease to be used as National schools they should be surrendered to the grantors, and in most cases the governors bound themselves to expend at least

£300 in erecting the school buildings. Each of these schools is under the management of the incumbent of the parish; he is called the superintendent of schools. In most cases there is also a patron; he is generally the great owner of the parish, the principal landed proprietor there; he is patron of the school. The superintendent is responsible for the management of the school. There is a master or mistress, as the case may be, appointed at a fixed salary, all appointed by the governors. The schools are conducted on this principle, that two-thirds of the expenses of all kind, except repairs, are paid by the governors, and one-third is required to be provided by local contributions. The superintendents are obliged to certify to us that one-third of the salary has been provided or paid to the teacher, and otherwise we send down a charge or leak bill to the teacher for the other two-thirds.

2245. In point of fact, two-thirds of the teacher's salary is contributed by your Board, one-third from local sources?—Yes, there are a few cases where there has been a local endowment, or they are not able to pay.

2246. What is the average salary paid to the teacher?—They vary. The schools are divided into four classes according to the number; the highest salary of a teacher is £200, and the lowest £20 for a solo teacher.

2247. What is the class of instruction given in these schools?—Quite primary, elementary.

2248. Is it of the same class as is given in the ordinary National schools?—Quite so; we have an inspector of these schools, Mr. Baulkin, of great experience, having been a schoolmaster himself, and he was paid until very lately £500 a year. He makes two inspections in the year, one on notice, and one without notice.

2249. He is paid his travelling expenses in addition?—No, he paid his own travelling expenses. But that now has been altered, because from the grant reduction made in our schools recently from 105 to 45, we did not think it reasonable to pay an inspector a large salary as before, and accordingly now his salary is reduced to £300 a year, and for that he must visit these schools twice a year.

2250. Can you tell us the attendance at these schools?—It varies very much. The total number on the rolls is 1,461 including Great Brunswick-street, and taking off 65 for that leaves 1,395 in the ten English schools, and 298 average attendance.

2251. Are any of these schools under the National Board as well?—None, they are completely under our own Board. I will tell you the principle of that. These schools were originally established very much on the lines of the Church Education Society's schools, and there were some very large schools among them, chiefly schools in the North of Ireland, one of 150 or more scholars. Some years ago it occurred to me to bring the Governors' attention to this, and point out to them, that we were expending a great deal more upon the English schools than we were expending upon the Grammar schools, although the Grammar schools were the principal objects of the testator's bounty; we were expending nearly half as much again upon the English schools as upon the Grammar schools, and it occurred to me that that was not right, particularly when the Government has provided a means of maintaining and supporting the schools without drawing upon us for it, and accordingly we came to the resolution that we would gradually diminish the number of our schools upon this principle, that, wherever they could get adequate assistance from the National Board, under a manager of the Church of Ireland, generally the incumbent of the parish, we would decline to carry on the school any longer, and we have been working that out steadily for the last five or six years.

2252. **Lord Justice FITZGERARD.**—Some of these schools which formerly existed here, I see, have been discontinued. What course did you take, before withdrawing from any of these schools, to ascertain that they could keep up themselves?—We investigated each

carefully, and had a long correspondence with the parties interested, and the general objection was not that they could not obtain assistance from the National Board, but that the scruples of the clergymen would not allow him to partake of a grant from the National Board. That was the real difficulty.

2253. Supposing that difficulty to be overcome, are there any of the forty-three schools remaining for which provision could not be made to be made from the National Board?—I think not, I think we have brought them down now very close. We went into the circumstances of each school, and we did not in any case allow a grant to be made to a school that could get support from the National Board, that is to say adequate support to a school under Church of Ireland management.

2254. Take the case of Newtownards, which used to be one of your largest?—That is given.

2255. Mountstewart?—That is a small school.

2256. Speaking generally, are the forty-three schools so small that owing to their smallness you could not get sufficient money under the board?

2257. Dr. TRAILL.—That is, the average attendance is less than thirty-five?—The average attendance was less than thirty-five, there are some particular circumstances about Mountstewart, I forget what they are at present. I find the average attendance on the roll at that school is stated to be fifty-five.

2258. You had better strike that off?—There is some reason why it should not be struck off, and I can find that out for you.

2259. Perhaps the male and female schools are joined?—No, the female is thirty-five. I am not sure there is not some private endowment; there is some particular circumstance about it, for, I assure you, we went into every one of these schools with a determination to insist upon every one which could get an adequate grant from the National Board being put off our list.

2260. Professor DOUGHERTY.—Can you tell us the attendance at Banarns?—Thirty-two on the roll.

2261. Dr. TRAILL.—What is the average attendance?—It is a curious thing it is thirty-three, however that occurred.

2262. Lord Justice FRANKLIN.—Looking at the report from Mountstewart, there is a subscription from Lord Londonderry of £40?—They give only £35. There is Banarns, seventeen males and fifteen females on the roll, and the inspector makes out the highest attendance during the year was twenty-one boys, and the average was nineteen boys, so that at the time he took the numbers the school must have fallen off so as to reduce the number of the school below the average.

2263. Speaking generally about these English schools, is the maintenance of these schools as part of your system at all, in your opinion, an assistance to education, and in what respect?—I think it is; limited as it is, I think it is a very valuable assistance. There are a great many schools in the country—these forty-three, with perhaps one or two exceptions, certainly coming within this category—where they could not have assistance from the National Board, and there is no other way of giving the children education except by going to the school of a different religious denomination.

2264. You are aware that under the National Board, except for this matter of conscience, a school can, no matter how small, get books, and inspection, and a stipend grant?—Not under twenty-five.

2265. They get books and inspection under twenty-five. Having regard to that, whether, do you think, the managing of a number of small, scattered schools as these are, through your board or through the National Board, with the assistance of local church people, is the more likely to promote their efficiency?—I would put every one of these schools on the National Board if they could be adequately supported by them under Church management. I think it would be better to have only one system.

2266. If all these schools, down to the smallest, were placed under the National Board, and your assistance

to them was confined to giving them some money, leaving the management to be worked under the National Board, would not that relieve you from an expense for which you get no return?—If it could be managed it would be much better; but all the vested schools are subject to a clause of forfeiture in the leases, and the buildings would have to be forfeited.

2267. Do the greater number of these forty-three remain vested in you, subject to this provision?—Yes, that the Scriptures and Church catechism must be taught.

2268. You can teach the Church catechism in the National Schools, but not to all the children?—Unless you make an entire change in the National Board you cannot teach the catechism.

2269. Dr. TRAILL.—Could we not in a scheme allow you to have a conscience clause, relieving you from the absolute necessity of teaching the catechism to every child; the money question being got over by the schools being put under the National Board, could not the difficulty be got over by a conscience clause?—I have never considered that question.

[Lord Justice FRANKLIN reads the rule of the National Board with reference to schools with under thirty pupils.]

Vis-à-vis.—They would meet us by saying there is a parish school in the parish under the parish priest, and they would not establish another school in the same parish.

2270. Lord Justice FRANKLIN.—These forty-three schools are all that remain of the English schools?—At one time there were 165.

2271. They were 175, I believe?—Well, they are all that remain of the English schools. I assure you we have gone into this with the desire in every fair case to narrow down the list.

2272. The Lord CHANCELLOR.—And in the case in which you struck the schools off, they were cases in which the schools could be carried on with the maintenance of the National Board?—Yes.

2273. Dr. TRAILL.—What is the total amount of the expenditure on these forty-three schools?

2274. The Lord CHANCELLOR.—The inspection of English schools, 1st May, 1885, was £492 11s. 8d. In the balance sheet of 1st May, 1886, the expenditure on English schools was £3,298, besides inspection £468, and besides Banarns-street school. Now they have been reduced on the last account to an expenditure on the English school of £1,616, besides inspection which remains at the same figure, because the reduction of the inspector's salary had not then come into operation.

2275. Lord Justice FRANKLIN.—Has Colry school, Sligo, been struck off?—Yes, it has. I don't think you will find in any one of those schools, except perhaps Mountstewart school. I don't think there is any one school that can fairly be struck off.

Lord Justice FRANKLIN.—There is just one return we would ask you to send in to us. If you will look at our former report you will see a table showing the expenditure on these English schools, the names of schools, salaries paid, and other expenses in each of them for 1878.

Professor DOUGHERTY.—I see that in those returns you have members of the Irish Church, Roman Catholics, and Protestant Dissenters. It would have been convenient if you could have set out, as in the report of 1880, Presbyterians as distinguished from other dissenters. Would there be any means of obtaining that information?

Mr. BROWNE.—I cannot say that. The information is got from those reports, and if they are not specified there, there is no way of finding them out.

2276. Lord CHANCELLOR.—I procure by applying to the masters you could find it out?

Vis-à-vis.—Yes, if you thought it of sufficient importance to have it, we could send a circular round.

The Lord CHANCELLOR.—I should think it would be as well.

The Commissioners adjourned.

March 12, 1886.
The Vis-
Chancellor.

MONDAY, 15TH MARCH, 1886.

At the Office, 23, Nassau-street, Dublin.

Present:—Right Hon. the Lord Chancellor, and the Right Hon. Lord Justice FITZGIBBON, Justice Commissioners; and Rev. GERALD MOLLOY, D.D., D.S.O., F.R.U.I., ANTHONY TRAILL, esq., LL.D., M.A., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, Wm. EDWARD ELLIS, esq., LL.B., was in attendance.

THE CHURCH OF IRELAND TRAINING COLLEGE, AND KILDARE-PLACE SOCIETY (JOINT SCHEME).

The Recorder of Dublin, as Hon. Secretary, represented the Training College.

G. H. KEENE, esq., M.A., the Registrar, represented the Kildare-place Society.

Mr. J. H. Nunn, a Member of the Committee of the Kildare-place Society, appeared on his own behalf as deservant from the scheme.

The Recorder makes a statement, and refers to the printed Memorandum lodged with the joint scheme.

Charles H. Keene, esq., M.A., sworn and examined.

Charles H. Keene, esq., M.A.

2277. Lord Justice FITZGIBBON.—You are the Registrar of the Kildare-place Society, and you have charge of the documents of title to the property of the society?—Yes, I have.

The Recorder.—Look to the deed of 13th July, 1816 [deed produced].

2278. Lord Justice FITZGIBBON.—Have you examined the map that is attached to this deed?—Witness—Yes, I have.

2279. The portion in blue on this map, is the site of the present school-buildings?—It is.

2280. How is that dealt with in the deed. There seems to be a leasehold as well as a freehold?—

The Recorder.—The lot A is held in fee-simple. Lot B is held under a different title for 100 years from 1794.

2281. Lord Justice FITZGIBBON.—Who is the owner of the reversion of the 100 years portion?

The Recorder.—I think the White family.

Mr. Nunn.—I have investigated this matter, and I can assist the Commission with regard to that. There were subsequent trustees appointed. The last surviving trustee was the late Judge Jackson, so that the legal estate in the fee-simple is in his heir-at-law; and there would be very considerable difficulty about that. He left no child, but he left sisters, some of whom are married and have left descendants. As to the leasehold part Dr. Dickson, M.D., is the surviving executor.

2282. Lord Justice FITZGIBBON.—This deed is sufficient for 100 years, but nearly 100 are gone. Now to whom is the £45 a year rent paid?—Witness. There is no rent whatsoever paid by us in respect of the lease we are now considering. You will see by the reservation of the lease that the Kildare-place Society is secured by Luke White's representative against that £45. The only rent paid by us is out of the other lease.

2283. Then your title is first a grant of a portion of this place in fee-simple, and a lease of the remainder for 100 years, subject to a rent of £45 Irish, but indemnified against it by other property. Do you know from the records of this society or otherwise, where the purchase-money came from with which these two sites were bought?—It appears that a certain sum was granted by Government in the year, I think, 1815, amounting to £6,500, and the money laid out in purchasing the site came from that source,

and I suppose a large portion of the money of the buildings, but I do not know that the whole of it did, because very large sums have been laid out on these premises apparently independently.

2284. What was that money derived from?—I suppose from subscriptions.

2285. Now what is your second deed?—This, for 999 years. It is a lease dated 1815, of the premises 10 and 11, Kildare-street, for a term of 999 years, at a rent of £110 Irish which the society pay. They present pay it to the representatives of the late Sergeant Armstrong.

2286. There are premises at the back—how are they acquired?—They have been a vacant yard hitherto, but during the last year additional buildings have been erected on them.

2287. Of what nature?—They have been owned by the Training College.

2288. Are those the new refectory and other buildings mentioned in the memorandum?—Yes.

2289. About how much has been spent on them?—Well, I am not able to say that.

2290. I see there are covenants in this lease of 1815, to expend sums of money, or rather provisions for the expenditure of £750, and of £3,000 on the premises?—I believe that fully that sum has been expended.

2291. Do you know what the source was of those sums?—I cannot say positively, I have no definite entry of any precise sums as I had in the other case, but I believe the source was principally subscriptions. I find large sums were laid out by the society. I traced to the amount of nearly £50,000 the other day.

2292. On the site?—Buildings. It only guaranteed "buildings" in the statement, and it did not specify any corresponding sums given by Government for that special purpose.

2293. Then so far as you are aware all money spent on the site of the second lease appear to have been derived from subscriptions?—They may have been partly that and partly Government money, but I cannot say decidedly. I do not believe that there was any direct grant given by Government for this purpose.

2294. Then you have got the appointment of new trustees in 1852. Is this the last title deed which you have with regard to the premises?—It is.

2274. I believe there is no declaration of trust in the previous deeds?—No, my lord.

2275. The premises have been held under the deed of 1831 ever since?—Yes.

The Recorder.—The words at the end of the testament of that deed say "in trust nevertheless for said society."

2276. Lord Justice FRYER.—And this includes lots A and B, and also all the other property?—Yes, and also all other property of the society.

2277. And did Judge Jackson become sole trustee?—There was only one trustee remaining; I think Mr. Le Touche was the only one who was alive.

There is no statement in the deed to show that, and my ground for believing so is that I remember in a debate of the society it is stated incidentally that Judge Jackson is to be appointed to take the oaths off Mr. Le Touche who was the surviving trustee. The words are "the surviving trustee," and I take that to mean "the only surviving trustee."

2278. Has any claim of title been made from 1832 by any persons?—No.

2279. So far as you are aware of?—No claim has been made.

2280. Who has paid the rent?—For 10 and 11 Kilmore street, the Kilmore-place Society pay the rent.

2281. Who is stated to be the tenant in the receipt?—The Kilmore-place Society.

2282. What is the constitution of the Kilmore-place Society?—The Kilmore-place Society was established, as is well known, in 1811. It was a voluntary society. It was not then incorporated, nor has it ever been incorporated. It was conducted for many years on those principles. It received a certain amount of aid from Government. It received also a very large amount of aid from subscribers throughout the country. In the year 1832 all the Government aid was withdrawn.

2283. Has there been any Government assistance since 1832?—None whatsoever. Since that time it has been maintained exclusively by subscriptions.

2284. Rev. Dr. MALLORY.—Can you state how much of the money spent on the buildings came from the Parliamentary grants made prior to 1832?—The only sum I ever heard of distinctly so allotted is that already mentioned, that is in 1815 or 1816, a sum of £6,980 was granted for the purpose of purchasing a site, and for erecting buildings thereon. £1,853 was the exact sum, I think, that was paid for the site. That is the site referred to in the first of the deeds which we now have before us, the one of 1816.

2285. Do you know what was the total sum expended on the buildings and site taken together?—I have looked through the reports for a great many years, and as much as £20,000 has been expended on the buildings.

2286. Of that £20,000 came from the Parliamentary grant you think?—I am perfectly sure the £6,000 did.

2287. During that period prior to 1832 were the funds of the society administered as a whole, or were the funds that arose from private benefactions kept distinct from the funds that came from the Parliamentary grants?—They were, as far as I can ascertain, administered as a whole. The grants were given because the Government considered that the society's objects were worthy of support, but the Government did not exercise special supervision so far as I know over the disposal of the fund.

2288. Then the society were able to economise the funds which came from private donations by the aid of the Parliamentary grant, and consequently the money applied to the buildings may be regarded as practically due to the Parliamentary grant, not to private benefactors?—I do not think there was any economy which would satisfy the case.

2289. Lord Justice FRYER.—Was all your money spent, whether it came from voluntary subscriptions or from the Government, on these premises in

Kilmore-street?—Oh, certainly not. Large sums which were granted to the society were expended on the schools throughout the country.

2290. Then if you were to take the account in another way, and to put all the money of the Government grants to the credit of the Protestant schools throughout the country there would be nothing to go to Kilmore-street, and it would be built entirely by private benefactors?—Precisely.

2291. As a matter of fact, they were kept in one fund?—Yes. The only sum I can identify is the sum I have mentioned, £6,980.

2292. Could you make out the total that was received from subscriptions, and the total received from the Government during the period from 1811 to 1832?—I think the Recorder has actually done that.

The Recorder.—I did it in a general way. I think it is explained in one of the paragraphs of this memorandum. There was a very large sum granted between 1816 and 1832. The principle on which Government supported it was the same as the way they supported hospitals, or Maynooth, or different other things which, upon public grounds, the Government of the day have seen fit to support; but it was a voluntary association. It was not formed under any charter, or with any Act of Parliament. I took the pains to read the first of the reports to see exactly its constitution. There was a set of rules, a copy of which was sent to the Commission, and they seem to me to be identically the same as then. It was a voluntary association, but it was one of the first movements which was made with respect to establishing a system of primary education, and there being a good many high people who thought well of it, it was favoured, and an annual grant—since it was Parliamentary it could only be till the next year, de anno in annum—was voted. A large part of the grant, running as high as £20,000 in the last few years, was expended in a system of gratuities to the teachers throughout the country. They were not the actual salaries of the teachers. These were at that time no authorized teachers under Government salaries, and inasmuch as this society was supposed to be doing good work, and its principles not then disapproved of Parliament granted to it. And the rules were not under an Act of Parliament or charter, but they could have been, any of them, changed at an annual meeting. [Copy produced].

2293.—Now, down to 1832 you say the society collected voluntary contributions, and also received Government moneys, which it spent along with its own?—Witness.—Yes.

2294. After 1832?—It continued then to receive voluntary contributions, but Government aid had ceased.

2295. Rev. Dr. MALLORY.—From that time, it is stated in paragraph 2 of the memorandum, the society continued its operations from its own resources. Now, amongst these resources were the buildings which had been erected at a cost of £20,000. Is it a fact that, if they had not received the public grants, they would have been £20,000 poorer in their private resources, owing to having been obliged to construct these buildings out of their own funds?—It does not seem to me that that is exactly so.

2296. Lord Justice FRYER.—To the extent of whatever proportion the Government grant bore to the voluntary contributions, there is a contribution represented in the buildings at the time they took them over in 1832, but whether it is £20,000 which is the whole cost of the buildings, or part, or none at all, depends on whether you credit the Government money altogether to the buildings, altogether to the country, or in due proportion to both?—The only sum that I could say certainly came from the Government for these buildings was £6,980.

2297. Rev. Dr. MALLORY.—That was given for a fixed, definite purpose?—I think so.

2298. I think you said you administered the fund as

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a whole, combining public grants and private benefactions?—Yes.

2319. Therefore, at the end of that period which closed in 1839, if you had not received public grants your resources would have been £20,000 less?—We would have had £20,000 less, of course, but I do not know that we could say that the Government laid out £20,000 on the buildings.

2320. Professor Deane.—Can you tell us what the constitution of this managing committee was at the time you were receiving those public grants?—It is stated in the rules. In the 3rd rule two very important principles are brought out—the Bible to be read by all children attending the schools; and catechisms and books of religious controversy excluded. But, after the year 1832, it became impossible owing to the changed circumstances of the country, to carry out both these in their entirety. There was no school in which catechisms of some form were not read, and the committee thought that they should continue to enforce the other principle, that is the reading of the Scriptures; and that that is one of the important principles of the society may be shown in four or five ways—first, this law, which appears for the first time in the third report. In the next place, in the first report of the society, which I hold in my hand, there is a statement, "Guided by this principle, the society considered that the most efficient means of attaining their object would be the establishment of schools . . . in which the Scriptures should be read without note or comment," these words are underlined—"and should be used to the exclusion of all catechisms and books of religious controversy." That is the second argument I shall mention. The third is that in the minutes of the society within one month from the foundation—

2321. Lord Justice Fitzgerald.—I take it there can be no doubt that one of the fundamental rules of the Kildare-place Society was this as to the reading of the Scriptures.

Witness.—Hitherto the Scriptures have been read by all persons connected with the society, and the question now arises whether in the training college, as at present constituted, that rule is carried out.

2322. Lord Justice Fitzgerald.—At present we are only in 1832. What happened in 1831? Didn't you give up all those premises in Kildare-street to another society?—In 1832, as the society could not carry out the whole of its programme, it was thought that the most proper thing for it to do was to administer what it in fact held, and to allow an appeal for further assistance from the public to be made by another institution whose principles allowed it to appeal for funds for a denominational institution, be cause, to a certain extent, it became denominational then.

The Recorder.—Of course the Commissioners are aware that the cardinal date is 1832. In 1832 Lord Derby wrote over to say that he could not continue the Parliamentary grant. The Roman Catholic hierarchy for three or four years before were increasing in their opposition and disaffected from this as a satisfactory solution of the Irish National Education question. And Lord Derby determined that it did not require any Act of Parliament to discontinue the grant, because, as I have said, it was a voluntary association. They gave this grant from 1814 on a sort of estimate sort in of what they wanted, and, in fact, there were very large sums given from time to time and spent throughout the country; and then, in 1832, they never thought of asking for any account against them when they discontinued it, any more than in the case of the Royal Dublin Society, or any other which gets a Government grant out of the munificence of Parliament. Parliament does not ask any of it back; but it ceased to be able to give them help, and they were left out in the cold, and in 1832 they were obliged to get on as best they could, and they sent a memorial in to Parliament and to the Prime Minister at the time, urging strongly reasons that were satisfactory; but, on the whole, the Govern-

ment of the day did not see their way to continue the grant, and they left them in possession of the premises. 2323. Dr. TRAILL.—I want to ask, as a matter of fact, whether the Kildare-place Society was three years in existence before any Government grants were given at all—from 1811 to 1814?

Lord Justice Fitzgerald.—So it appears.

2324. Dr. TRAILL.—Were the buildings built within that time?

The Recorder.—No. The information with regard to this substantially is contained in the document I have mentioned already—Sir Patrick Keenan's statement before the Social Science Congress in 1881, at the head of a section. But perhaps you will permit me to add, in reference to what I was saying, a matter of importance in reference to the suggestion made by Dr. Malley with respect to the application of the public money. I was going to show the construction of this society.

2325. Lord Justice Fitzgerald (to the witness).—Is your society constituted under the rules that you handed in?—Yes.

[Lord Justice Fitzgerald reads rules relating to constitution of society.]

2326. Who are your present committee?—They are given on page 4 of the memorandum, clause 32.

2327. How many are the members and how many annual subscribers?—There are no subscribers, as stated. No subscriptions have been received for many years.

2328. What is the qualification of the gentlemen now acting on the Committee?—They have been co-opted under rule 15.

2329. "The Committee shall fill such vacancies as may occur in their own body?"—Yes.

2330. But then they must fill them up by election of members?—That is not specified. I suppose the Committee can only carry out the rule so far as circumstances permit.

The Recorder.—I believe the real reason was this, that after they let the premises to the Church Education Society, they really had not a necessity for raising funds from the public and they got enough to carry on—Mr. Keenan will correct me if I am wrong in this—from the depository and from the portion of the rents which they reserved for their own use, and they therefore did not consider themselves authorized in asking for subscriptions.

2331. Lord Justice Fitzgerald.—But the Kildare-place Society came forward now, purporting to be one of the bodies representing this joint scheme. Who are the people that call themselves the Kildare-place Society? If they are not the Kildare-place Society, the scheme should be settled without regard to them.

Witness.—I should say that the Kildare-place Society has really had no profit whatsoever out of the premises.

2332. Lord Justice Fitzgerald.—Am I to understand that the gentlemen who now claim to constitute the Committee of the Kildare-place Society are none of them other members for life as benefactors of the guineas, or members for a year as subscribing one guinea?—I think not. We have long since ceased to ask for subscriptions at all.

2333. Then you have no subscribers, and therefore no one qualified as a member under the rules of the Kildare-place Society?—That is so.

2334. Since when?—The last subscriber died ten years ago. She used to subscribe £1 a year; but previously I should say, our subscribers have ceased for many years.

2335. That being so, would you tell us how these premises, the subject of this scheme, were occupied and used, and by whom?—The Society, as I stated, after 1832 could no longer enforce the two great principles which I have already referred to, the reading of the Scriptures and the exclusion of catechisms, and they thought that the proper thing to do was to give these premises, or the enjoyment of them, the annual income

open them, to a body which would carry out the principles of the Kildare-place Society, so far as was possible, but not themselves to seek further subscriptions from the public. They did not consider that they should hand over the permanent occupancy of the premises, but considered that it was a different thing to hand over the annual income to a society as like their own as it was possible to find. We charged £110 a year rent. £275 appears in the agreement.

2338. Can you give the particulars of the agreement—in what year was it handed over?—It was some years after the Kildare-place Society had ceased to receive Government aid. It continued no doubt to receive voluntary aid.

2337. How long?—Until 1854.

2338. Did the Kildare-place Society carry on the training college till 1854?—It was in 1854 that it was handed over to the Church Education Society.

2339. Have you got any minutes or instructions showing how that was?

The Recorder.—The fifth paragraph of the memorandum states the matter distinctly. I took the trouble of going through the annual reports.

2340. Lord Justice FRYGROVE.—May I take this to be correct?—After 1833 the Society continued to maintain the training school, the model schools, and the book depository. From the annual reports of the society it appears, that in the years, from 1832 to 1850, the subscriptions and donations to the society amounted to upwards of £20,000, that in the same years the bequests to the society amounted to £2,250; the other resources of the society consisted chiefly of the profits of the book depository, school fees in the model schools, and payments made by or contributed for teachers in training. During the same years the total of the disbursements of the society as appearing in their annual balance sheets, amounted to upwards of £90,000.—I believe that is substantially correct.

2341. During that eighteen years was any Government money applied at all to the maintenance of the buildings or otherwise?—I believe not.

2342. "In 1839, the Church Education Society was formed with the object, as stated in their rules, 'to assist schools at present existing in the country, and to establish new schools on an improved system for the purpose of affording to the children of the Church instruction in the Holy Scriptures, and in the catechism and other formularies of the Church, under the direction of the bishop and parochial clergy, and under the tuition of teachers who are members of the United Church of England and Ireland.' That society was a strictly denominational society both as regards scholars and teachers?—Yes.

2343. "In 1847, this society made an arrangement with the Kildare-place Society, by which at the expense of the former, the teachers for their schools should be trained in the Training College of the latter in Kildare-place. This arrangement continued until by the growth of the Church Education Society, the teachers in the Kildare-place school consisted almost exclusively of those sent for training by the Church Education Society by whom the expense of that department came to be thus almost exclusively defrayed. In 1850, of £731 cost of the training school, £708 was contributed by the Church Education Society." Therefore from 1847 to 1854, the Church Education Society was gradually taking the place of the Kildare-place Society?—Yes.

2344. "In 1854, an agreement was entered into between the two societies by which the departments of the training schools and the model schools passed directly into the hands of the Church Education Society, to whom the Kildare-place Society let the whole of the premises occupied by those departments, which thenceforward to 1878, were managed and carried on by the Church Education Society upon its own principles." Now was that letting in writing?—It was.

2345. Have you got it?—Unfortunately I have not, because in 1878, when the second last letting occurred, it was intended that the terms should be similar to those

of the letting to the old Church Education Society, and the agreement was given to the gentleman who was preparing the new agreement, and it never returned to my hands; but you may depend upon it being identical.

2346. Now, from 1854 to 1878, that is for some twenty-four years—did the Kildare-place Society take any part at all in the management or working of the model schools or training college?—No.

2347. Then they were strictly denominational institutions during that time?—Save that in the model school all the children were obliged to read the Bible, but not obliged to read the catechism.

2348. The rule of the Church Education Society was that they should get instruction in the Holy Scriptures and catechism?—I understand that the principle of the Kildare-place Society was carried on, so far as regarded the model school, and that all were compelled to read the Bible but not compelled to read the catechism, although as a matter of fact they often did.

2349. Did the Kildare-place Society take any part in the management of the schools?—None whatever.

2350. What did you receive out of the premises during that period?—Almost from the time of the letting we allowed an abatement of £165 per annum—£110 instead of £275 was what we received, and we ourselves had to pay £110, Irish, £101 odd, as head rent.

2351. That is the £110 reserved by the second lease?—Well, I should mention that we had No. 11 Kildare-street set at that time independently of the training college and Church Education Society, and we had a certain income from it, over £20 a year, and if it had not been for that, we could not have allowed the abatement we did to the Church Education Society without absolute loss, because I find on calculating for the number of years since 1847, in fact since I have had the accounts under my charge, I find that putting on one side all the rents we received, not only from the training college in 4, Kildare-place, but also from 10 and 11 Kildare-street, and putting on the other side the whole amount we were obliged to lay out in repairs, insurance, &c., I find we practically have no balance. The only balance apparently was £14 profit, but out of that we had to defray the expense of managing the premises, and also to make provision for some permanent repairs, such as re-pointing.

2352. And did the Kildare-place Society do the repairs during the term the agreement was running?—For a portion of the time, but I believe the Church Education Society also laid out a large sum of which I have no details in my accounts. We laid out during that period a very large sum, £800, principally on painting, &c.

2353. If during that period the Kildare-place Society took no part in the management of the schools except receiving money, what functions were they performing besides keeping the place in repair?—They believed that they had no power of lending over the permanent possession of the premises, and they thought that the best way they could dispose of the annual income was by handing it over to a society whose principles accorded most closely with their own, having regard to the changed circumstances of the country.

2354. Is not it the fact then that the Kildare-place Society was really only nominal owners—that it only had the legal title, all the real property and management being in the Church Education Society?—That refers only to the premises and buildings, but besides that the Kildare-place Society had a great deal of work in the Depository.

2355. That is in the sale of books?—Yes, the sale of books and maps, &c.

2356. But so far as the school was concerned, the Training College, the buildings, and the working of the institutions were entirely in the hands of the Church Education Society, and the Kildare-place

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Society, between rent and repairs, returned to the buildings in substance all that they got!—They did.

2357. And took no part in the management?—No.

2358. How long did that system go on?—It practically went on until 1884. Since 1884 there is a resolution passed by our society in future to demand the full amount of the rent, but I have no doubt that if it were paid, it would be returned in one way or another to the Training College. I believe that was simply due to the change of circumstances.

2359. In 1878 you entered into an agreement which is found on page 619 of volume II. of the Report of 1881. I observe that that agreement is entered into between Mr. Garbille on behalf of the Kilmoreplace Society of the one part, and the late Master Brooke on behalf of the Board of Religious Education. That was an agreement that for one year the Board of Religious Education would pay the Kilmoreplace Society £275 for those premises?—They actually only paid the same amount, £110.

2360. You returned the balance, I suppose?—We only received the £110 from them.

2361. Who continued in occupation after that year?—That has since been noted upon as constituting an adverse tenancy, and there has been no further agreement.

The Recorder.—Is that the last document of letting?—It is, so far as concerns this part of the premises.

2362. Lord Justice Fitzgerald.—There has been a large expenditure on the premises since 1878 by the Training College?

Witness.—But that is not under my charge.

The Recorder.—All these are taken from the balance sheets and reports; every one of them can be verified. The statistics in the 6th column are taken from your own report of 1881.

2363. Lord Justice Fitzgerald.—The expenditure, it appears, of the Church Education Society on the Training and Model Schools was for the year 1867, £1,896, and for 1878, £1,040. I believe 1878 was the last year in which the Church Education Society expended any money at all on it. Has the Church Education Society ceased since 1878 having any connection with the premises?—Yes.

The Recorder.—They actually surrendered the premises?—Yes.

2364. Rev. Dr. Molloy.—From 1878 to the present time who have been the occupants?—The Training College of the Church of Ireland.

2365. The building has been occupied by the Board of Religious Education of the General Synod?—Yes.

2366. And they held a lease from the Society?

The Recorder.—The late Master Brooke was chairman, and the letting under the agreement, which is mentioned at page 619, was to Master Brooke: that was made upon the surrender of the Church Education Society, and has been acted upon as a tenancy from year to year ever since. Master Brooke represented the committee that was formed by the General Synod at that time; but that has been modified since by the resolution, on page 5, of the 22nd of April, 1885, passed by the General Synod. The body founded by Master Brooke was very much modified by this.

2367. Dr. TRAILL.—In fact, at that time there was not any power of working the Training College under any Government scheme, and Master Brooke simply held it for a limited period?—Yes.

2368. Lord Justice Fitzgerald.—I believe you make up your accounts to the 5th July in each year?—Witness.—Yes.

2369. And you have sent us in your balance sheets from the 5th July, 1880, down to the 5th July, 1885?—Yes, and I have them here for fifty years past.

2370. Now, last year I find on the 5th July, 1885, you commenced with a balance in hand of £2,505 7s. 1d. The first item of receipts is £44 on account of the bequest of the late Hon. S. Ward. What is that?—That was a bequest left many years

ago, and the particulars of it are stated, I think, in the abstract of 1886.

2371. Professor DODDINGTON.—Have you any list of your bequests and donations?—There are only three of those, and they appear on this sheet.

2372. Lord Justice Fitzgerald.—What were the particulars of this bequest?—It was a bequest of the Hon. Sophia Ward, the only income from which at present is about £44—£45 10s. is stated here. It seems that in this bequest there were two sources from which the Society was to receive money; first, certain sums were to be realized and at once paid over to the Society; that was done shortly after that year, about the year 1835; and the other portion was left to certain annuities, and as those annuities fell in the balance was to be increased and the amount paid to the Kilmoreplace Society in common with other societies.

2373. Is this extract right: "(The will bears date the 15th December, 1834, and was proved on the 13th May, 1836.) She bequeathed all the residue of her personal estate to two trustees to be divided, &c. (read)—to those only which are maintained and supported by voluntary gifts and contributions."—Yes.

2374. And I understand that that has since been paid regularly to the Kilmoreplace Society?—Yes.

2375. Who pays it now?—It has been lodged in the trustees' account in the Munster Bank until recently. I am happy to say that the money is out of the Munster Bank now; but within the last month or two months we received a notice from the representatives of this bequest, saying that the different annuities who had a charge on the bequest had died, and therefore that the capital sum amounting to £16,656 was now dividable between the different societies which had hitherto been receiving a tenth part, and the Kilmoreplace Society was entitled to about £1,660. Within those two months—indeed it is two or three months since we have had the notice—we have not been able to complete the winding up of the account, on account of a question with respect to the payment of duty, whether the sum is liable to duty or not, and all our documents, I am sorry to say, are in our solicitor's hands.

2376. This money, £44 income or the capital producing it, is still held in trust for the Kilmoreplace Society?—Yes.

2377. The next is Miss Carey's bequest, 28 5s. This lady died in October, 1838, leaving by her will in trust to pay the Kilmoreplace Society £10 per annum. And after numerous other bequests she did contained this clause—"In case of the schools they are to be strictly Protestant."—Yes.

2378. Your next sum is 25 5s. 6d., legacy from Mr. Loftus.

The Recorder.—That is one that the attention of the Commissioners should be specially called to?—Witness.—It is on the second sheet commencing No. 1.

2379. Lord Justice Fitzgerald.—A legacy of £200 was bequeathed by the will of the late W. F. Loftus. "To the South Eastern District Female School I bequeath £200, the interest to be applied yearly in aiding the most necessitous."—Witness.—Yes, that is the strange term he uses.

2380. What is the date of the will?—1837.

2381. Is that invested at present?—It was invested in Government stock, and it is at present included in the sum of £1,504, which is recited as the amount to be transferred.

2382. The next item of your receipts is £1,505 7s. for sale of books?—Yes.

2383. Are these books sold in your depository?—Yes.

2384. I observe that the amount paid for them is £1,314 4s. 7d.; salary of the manager £175; assistant £32; wages of a porter £50 2s. 6d.; so that there is a loss on that trade of £119 a year!—Well, there seems to be, because only the cash actually received is entered on this sheet, but £200 more than usual

was due to us, which is accounted for in the proper place on the balance sheet, and this more than makes up the apparent deficiency. If you will take the last five years you will find that we were in the same position all that time.

2385. Dr. TRAILL.—Talking the period of five years, would there be a loss or a gain on the five years?—We are just as we were. There is a difference of £30 between our position now and five years ago.

2386. Lord Justice FIRSTGROSS.—Then the trade of the depository has neither added to nor diminished your profits?—No. I should say that there is a benefit of 25 per cent. given to schools in the sale of books.

2387. Dr. TRAILL.—Your object was to give the books cheap?—Yes, certainly; and I find that the amount due to us at the end of 1835, was about £300 more than usual.

2388. Lord Justice FIRSTGROSS.—But if you receive for the books that you send out exactly the same amount that you pay for the books and for the management, is that anything more than a mere co-operative book supply—you have not got any of your endowment into it?—But we had to earn the money.

2389. It is only that you have been carrying on a book-selling trade without asking any profits?—Certainly.

2390. You have not applied any part of the funds of the society to carry it on?—No; we have been giving the benefit of the profits of the trade to the schools of the country.

2391. But you have not cheapened your books by applying any part of the funds of the society to the purpose?—The depository supported itself. I should say that that £1,509 only indicates the cash actually received, and there being £200 due to us, that makes it £1,700.

2392. You have next £110 rent from the Board of Religious Education of the General Synod. Now, what is the next item, £15, Church of Ireland Society?—No. 11 Kildare-street was until recently let to the Training College, let to different tenants. One was the Church of Ireland Society.

2393. Rent from His Grace the Archbishop of Dublin and Rev. H. K. Moore, for the half-year?—Yes, because those premises, No. 11, have been now let to the Training College in the name of the Archbishop and Mr. Moore.

2394. Then you charge them rent for No. 11 besides the £110?—That is quite a new thing. For all premises except No. 11, £110. Then No. 11 we have hitherto had let to different tenants. Those tenants last year have been wiped out, and the Church of Ireland Training College was the remaining tenant during that half year. Now the Training College will be tenant in future for No. 11, and they will pay an additional sum.

2395. £97 a year?—Yes.

2396. Therefore, your present rental is £207?—Yes.

2397. The next item is Government stock £40 4s. 7d. Your Government stock appears from this to consist of £1,428 4s. 9d.?—Yes.

2398. This £1,418 4s. 9d. is made up of £1,224 10s. 7d. unapplied income?—Yes.

2399. When was that chiefly accumulated—how far back in your accounts—there is no change in the last six years?—Oh, no, nor for years previously. It seems to be prior to 1864, about 1864, that that investment was made.

2400. And the residue besides the unappropriated income is the legacy of Mr. Lefant?—Yes.

2401. The last item is interest from treasurers, £9 4s. 6d.—what is that?—That is money lying in the Munster Bank. On our account there, there was a certain amount of interest which they allowed.

2402. That would be interest on the balance in bank—who were the treasurers?—The Munster Bank.

Fortunately, the money was out of the bank a little before it stopped.

2403. When did you get it out?—A couple of months before the date of the failure it was got out by cheque, and transferred to the Bank of Ireland.

2404. You have no claim against the Munster Bank?—We have a claim for £5. That was a balance of interest which was due and which we did not draw.

2405. Where is that balance now?—It is now included in the Bank of Ireland, £1,048. Our Bank of Ireland account we always ran to the lowest possible penny because we got no interest on it, and in the Munster Bank we got interest on it.

2406. Rev. Dr. MOTTET.—On the balance of current account?—In the Munster Bank, but not in the Bank of Ireland.

2407. Lord Justice FIRSTGROSS.—What have you got in cash now?—Do you mean the 31st of July last, as it appears in this statement?

2408. I find Government stock, £1,224 10s.; Bank of Ireland, £1,048 11s.; Registers, including £1 4s. in manager's hands, £74 1s. 1d. What was your balance in hand carried forward?—That sheet only shows the Government stock and cash, but it is not the proper balance sheet. The proper balance sheet is the second sheet.

2409. You began the year with charging yourself with a balance of £2,602 7s. 1d.?—That was cash.

2410. At the end of the year you had a balance of £2,352 4s. 10d.?—Yes.

2411. Therefore, you went to the end on the year 1850?—There was £200 more than would due to us, so that the balance is really in our favour.

2412. The first item of your disbursements is country schools department £108 10s.?—Yes.

2413. Tell me what the schools were?—The names of the schools are in the second paper.

2414. How are those grants issued?—There is a special form filled up. Here are the forms. These are sent to be filled up.

2415. How were those grants given that were made to the leading libraries—they appear to be a considerable portion of your grant?—Applications were made on this form. At the foundation of the Society, it was stated that one of its objects was to found leading libraries in connexion with schools or other institutions for the education of the poor.

2416. Your next item is £1,625 7s. 1d. consisting of the purchase of stock for your book store, and the salaries of the three people employed in it. How is the manager appointed?—By the Committee.

2417. When was he appointed?—In December, 1850. He was appointed not as manager then, but as assistant, and he was afterwards raised to the position of manager. That was in the year 1854.

2418. Can you give me the minute?—There are two minutes in connexion with this appointment. I see that in 1855, he was appointed practically manager. The minute was—Resolved that the appointment of manager be postponed, and that the salary of Mr. Maryon be increased to £8. That means that he was temporary manager. In the year 1854, after acting a year in that way he was appointed—"that Mr. William Maryon be appointed manager on giving security." [Minute book handed in by witness.]

2419. What is his tenure of office?—Well the salary was paid monthly, so that I suppose he could be dismissed on a month's notice.

2420. Now the assistant?—The present assistant has been here for two years. He was appointed in April, 1854. He has not been quite two years yet.

2421. And what is his remuneration?—£6 10s. He also receives a gratuity at Christmas. Mr. Maryon's salary was raised from time to time. It is £19 a month now, and he receives a gratuity at Christmas also.

2422. Does he also hold office monthly?—Yes.

March 12, 1864.
Charles E.
Kenny, Esq.,
Solicitor.

March 18, 1885.
 Charles H.
 Keene, esq.,
 &c.

2423. And the porter?—He is paid in cash, 17s. a week, and he also receives clothes.

2424. What are his duties?—He has to attend to the depository, he has to carry parcels, &c.

2425. Are the duties of the manager, assistant, and porter entirely confined to the book shop?—Yes.

2426. Now the general expenditure connected with all the departments. The first item is rent, taxes, insurance, to £129 12s. 3d. Does that include your rent, which I think we £110?—Yes, for 10 and 11, Kildare-street.

2427. Are they taxes and insurance on the whole premises?—Yes; the particulars appear in the ledger which I have here.

2428. And the next is your own salary. When were you appointed?—In December, 1883.

2429. And what are your duties?—I have to take charge of the banking account of the Society, and to keep the minutes, and to exercise a general supervision. I always see that the accounts are properly kept.

2430. Are you required to give your whole time? Oh, no, certainly not. I come every morning at ten o'clock, which is the hour that the depository opens, and I look at the letters, and then from time to time I examine the accounts which are posted up by the manager; and further, three or four times in the month, I take the cash from the manager which he receives and I lodge it in the bank.

2431. What is the tenure of your office?—Well I am paid quarterly.

2432. You were appointed at so much a year?—Yes.

2433. Now, printing, stationery, and advertising, £9 8s. 2d.; and contingencies £28 18s. 4d. Have you got the particulars of the contingencies?—Yes,

they are principally postage, coals, and some small repairs to the shop part of the business.

2434. How often does your committee meet?—About once in two months, more frequently sometimes, but it depends on the amount of work they have to do. I should say that the committee have a very interesting task in examining the accounts, and the honorary secretary has initiated every payment made by the society to ascertain that they are correct.

2435. Does that mean the vouching of the book business?—It does. It is an exceedingly troublesome task. Every single voucher is initiated by him and submitted to the committee, and the committee examine the accounts once a month or once in two months.

2436. Have the grants made to the schools been of the same amount year by year, or is each grant considered to be given separately?—The same amount has often been given from year to year, but each application is quite independent. The committee does not say "we will make such a grant each year."

2437. Then there is no school that has any permanent claim on you?—Except from usage, but for years we have been in the habit of giving the money. There are other schools that we frequently give grants in books to.

2438. The Roscommon-road school in Limerick, Dolphin's-burn schools, and Buckingham home for school, Cork, are the only ones that you refer to as having any claim?—Primarily those, because the withdrawal of the money would be serious for them.

2439. Dr. TRALE. How many are there of them?—Three.

2440. Lord Justice FRYGROUSE.—And then we strictly denominational schools?—Yes; I believe, so far as I know, they are.

Frederick R. Folliver, esq., Q.C., Recorder of Dublin, sworn and examined.

2441. Lord Justice FRYGROUSE.—You are the honorary secretary of the committee?—Yes.

2442. Of the general synd?—No, of the training College.

2443. How has the committee been appointed?—By a resolution passed at the last session of the general synd.

2444. I see your chairman is the Archbishop of Dublin, and the committee consists of yourself as honorary secretary with Mr. Brooke, and about twenty other members?—Yes.

2445. Now as to this agreement which was entered into with Master Brooke?—Well my connexion with this, and Mr. Brooke's, and some others of us, arose in this way:—The Marlborough-street Commission, the Commissioners of National Education, had for several years been considering some mode in which they could satisfy the religious feelings of the different communities in Ireland, the different denominations of Christians in Ireland, and there were two plans started. One of them was known as Professor Jelliffe's, the Provost of Trinity College, and the other as that of the Resident Commissioner, Sir Patrick Keenan; and the Provost's plan was that in order to get rid of the difficulty caused by the mixed system at Marlborough-street, they should allow the young people, the teachers at Marlborough-street, to be trained in domestic homes of a denominational character as boarders and to attend Marlborough-street; and the synd in the beginning of 1882 adopted so far as they could by resolution that principle. Steps were taken to carry out that, and in 1883-84 we had the large number of eighteen male students boarding with us and attending Marlborough-street every day, and the plan was so far satisfactory that we asked the Government to extend it to women. We had not up to that time proposed to adopt the Resident Commissioner's plan, and I may say that that application was the first movement towards adopting

the Resident Commissioner's plan, as that is the system with some modifications that was known then as Sir Patrick Keenan's plan.

2446. Rev. Dr. MOULTON.—There was a capital grant?—Yes, they allowed as a capital grant of £26 a year. Subsequently the synd passed a resolution to adopt the Government plan, and accordingly we opened the college in September of that year 1884, and it was quite successful. We had scarcely accommodation for the inmates of the first year. We managed that, but it was absolutely necessary to make arrangements for the inmates of the second year, and we accordingly then approached the Kildare-place Society, and we induced them to give us, with some trouble to them, for they had to put out their tenants, the house No. 11, Kildare-street. In that place we were enabled to get sleeping room for the inmates of the second year, but we were obliged to make provision outside for both the chaplains and principal, at very considerable expense from private sources, and to pay for their board outside; and we were therefore compelled to enter into a new building arrangement and not even to wait for title. The first part of our contract, which is £2,500 for the refectory and dining hall, is the only one that, pending this Commission, we have felt at liberty to proceed with.

2447. And have you proceeded with that?—We have, because the contract was almost signed at the time the Act passed last year.

2448. The alterations were made before the Act passed?—Yes.

2449. You pay £110 a year to the Kildare-place Society for all the premises except 11, Kildare-street?—Except 11, Kildare-street.

2450. And for 11, Kildare-street, you pay £27 a year?—Yes.

2451. But they indemnify you against the bad

Frederick R.
 Folliver, esq.,
 Q.C.

rent.—We have nothing to do with the head-rent; we are under-tenants.

2452. Your interest at present is the interest of tenants paying £207 a year to the Kildare-place Society?—Yes.

2453. And the interest of the Kildare-place Society is the receipt of £207, subject to a rent of £110, Irish?—Yes.

2454. Now, what have you spent on the place since you got it?—The preliminary expenses of arrangements in 1884 were about £1,000. I may state with regard to that, that all our figures have been subject to the Government audit in that respect, by being placed in relation with the National Education Commissioners. Their finances, Mr. Taylor, audits all these accounts in the way that all these other training colleges are audited, and that system of accounting includes, therefore, not merely the portion for which the Government are responsible, three-fourths, but the entire. I have got before me the income and expenditure for the year ending 31st August, 1885, showing an expenditure altogether of about £4,530 in the year. The certified expenditure by the officer of the National Education Commissioners was £4,309 10s. 7d.

2455. What year is that?—All the National Commissioners' accounts end, I think, 31st August. [Witness hands the document in.]

Witness.—We have got the very best masters and mistresses that Ireland can provide of our denomination, and we increased the salaries allowed by the National Commissioners, in strict accordance with their rules, to a certain extent.

2456. Lord Justice FitzGibbon.—2127 2s. 9d. is put down as received from the practising school?

Mr. Taylor.—That is from the children.

2457. Lord Justice FitzGibbon.—Is it the children's pence?

Mr. Taylor.—Not exactly pence. It is fees for music and French.

2458. Lord Justice FitzGibbon.—Your capital expenditure up to the present has been £2,500?—Witness.—Yes.

2459. What was that derived from?—Every shilling of that was derived from voluntary subscriptions.

2460. Were those subscriptions given to you as the Committee of the Training College since the present scheme started?—Yes.

2461. Have you any subscriptions coming down from the Church Education Society, or from any earlier period?—No; on the contrary, the Church Education Society did not surrender till they had been obliged to close the model school, or were at least about to do so; and Master Brooke took the matter up in the interval in 1878. At that time they were about to close the model school, and it was in consequence of a resolution passed by the old committee to close the model school that the new modifications, under the sanction of the General Synod, were brought into operation.

2462. And I suppose you are in a position to hand to this paper we got from Mr. Moore, giving us your present staff. It seems a very large one. [Reads list.] There are in the practising school?—Yes.

2463. What does your training college contain at present?—I may state that the meaning of "annual" and "biennial" students upon that paper is this, that the Government recognise not merely the biennial students who come for training, commencing their training, but they will allow any already certificated teacher to come in for one year's training, the great object the Government had being to procure a class of trained teachers, and the complaint being that so many of the actual teachers in National schools throughout Ireland had never been trained at all, but had gone to their duties simply on passing an examination. They had no test of their powers of communication, knowledge, and they were accordingly very anxious that those who were untrained, those who had got their positions in life on examination only, should have some training, and they authorised, therefore, an annual session for them, and we call them, for

shortness, annuals and biennials. All the biennials passed, and successfully passed, the examinations in the first year, and graduated into the second year.

2464. What is your total number at present at work?—In the Government department we have sixty-two females, and twenty-three males.

2465. How has it happened that the females are in excess of the males?—It is an educational fact; all the denominations are more or less complaining of it. It is very difficult to get males to come up in the same way as females for the natural reason that young men who are able to qualify themselves now in the present high standard of education, are able to generally qualify themselves for the second branches of the Civil Service, and consequently there is only a limited number who will take the office of National schoolmaster; and, on the other hand, girls, as we all know, are very numerous now to come, and both at Marlborough-street, and at all the schools, I believe, I can speak for both, and I certainly can for our own, and I know at Marlborough-street they have a great deal more of female candidates than they are able to admit; and, on the other hand, at Marlborough-street they have been actually coining the male students in.

2466. What is the staff of teachers?—There is the principal, the Rev. H. Kingsmill Moore.

2467. How is he paid?—A salary of £400 a year. His residence also is, as I have said, paid for out of doors. The Rev. Alex. Lequer, who is the chaplain, has a salary of £150, and we were obliged to turn him else out of his house.

2468. He has a residence also?—Yes. I did not make up these figures inasmuch as the Government are very particular in ascertaining the whole of them, and we to pass the Government rules, we have to satisfy them.

2469. Rev. Dr. MULLOY.—That means the National Board rules?—Yes.

2470. Lord Justice FitzGibbon.—That is in order to qualify yourselves to get the Government contribution?—Yes.

2471. I find by the list that £1,750 is what you pay for the salaries and teachers?—Yes.

2472. Are those all employed in the training college?—Every one of them employed in the training college. The master of the boys' department of the National primary school is also our teacher of method. He had the very highest qualifications. He had one of the highest prizes in connection with the National Board.

2473. Lord Justice FitzGibbon.—I suppose you have some one to look after the house. Are those expenses included in the £1,750?—Yes. To a very great extent they are amalgamated, because there is a domestic establishment which is headed by Miss Lewis, and Miss Lewis takes a very considerable part of the general education and training on the women's side.

2474. Rev. Dr. MULLOY.—As a master of account, I do not quite understand how you make out the certified total £4,809, and the second total on which you receive seventy-five per cent., £3,155?—I will explain that at once. Our establishment has from its constitution two departments, Government and non-Government, which has teachers who are candidates for schools that do not share in the State endowment, and the smaller sum represents the sum certified for the Government department. The Government have nothing to do with the other.

2475. You have first to ascertain the certified total amount actually spent on the whole establishment, and then by a rule of three you find how much of that certified total is applicable to the Government school, and you get seventy-five per cent. on that?—Yes.

2476. Now, will you take your scheme. What is the amount of rent you are bound to pay?—The fact of the matter is that we were always under the impression that the rent was not so large a sum at all,

March 16, 1886.

Fredrick E. Ballantyne, esq.,
Q.C.

March 15, 1886.

Frederick R.
Fulcher, esq.,
q.c.

because the rent always paid and received was the sum of £110.

2477. And was that the amount to which you supposed yourselves to be really liable?—When I first asked the question of Dr. Leeper, who was the chaplain and manager, he told me it was £110.

2478. The blue book of 1850, states the rent to be £275 1—Yes.

2479. And that £275 is for the premises exclusive of 11 Kildare-street?—Yes.

2480. And they are beyond doubt £275?—Yes, 287.

2481. [To Mr. Keene.]—Did you ever receive any sum of rent out of this place, except £110 1—Well, I believe we first received £275, but certainly for a great number of years we got only £110.

2482. If you received it did you give it back?—I do not think we got it.

2483. What is the last record of your having got £275 out of the place?—The only one is this last half-year. I will show you the note. For the half-year ending 10th July, 1885, they have paid us £134 13s. 1d.; that is half of £275, with an allowance for taxes. That is for the half-year ending 10th July, 1885. We then commenced to insist upon full payment of £275.

2484. Have you any minute of that?—Oh, certainly.

2485. Rev. Dr. Motley (to Witness).—I suppose the National Board allow you three-fourths of your rent in Kildare-place?

The Recorder.—They allow us three-fourths of all our expenses.

2486. You have put in all those expenses?—Every expenditure goes down, and in all probability you will find it in the document handed in.

2487. Lord Justice Fitzgerald (to Mr. Keene).—Rent, rates, taxes, insurance, £254 18s. 11d.; that is in the account for the year ending 31st August, 1885.

Mr. Keene.—That includes our rent. Here is the minute now, the date is 28th October, 1884. "The question whether the payment of rent hitherto allowed shall be continued having been considered, it was proposed, seconded, and resolved, 'That notice be given to the Training College that the reserved rent will not be required for the current year, but that the abatement of £185 will not be continued after the 10th January next.' " And that was acted upon, and from the 10th January to the 10th July the full rent has been actually paid.

The Recorder.—I may state that with respect to that resolution Judge Warren certainly stated to us distinctly that the object in doing it was merely to obtain security for the non-Government side in order that it should be returned. His desire and intention was that it should be applied for the maintenance of the non-Government side.

Mr. Keene.—That does not oppose.

2488. Lord Justice Fitzgerald.—[Reads resolution of the 3th December, 1884.—"Proposed by Mr. Gamble, seconded and resolved, 'that—'"]

Mr. Keene.—It was found that that would not satisfy the conditions required by the Government.

2489. Lord Justice Fitzgerald.—Because you do not appear to have any title at all.

Mr. Keene.—That point was not raised.

2490. Lord Justice Fitzgerald.—20th January, 1885.—"Proposed by Judge Warren, seconded by Mr. Smythe, and unanimously resolved, 'that, while the Committee of the Kildare-place Society is willing to negotiate with the Committee of the Training College as to the property of the Society, and have already made a temporary lease, and offer to make a permanent lease to the Committee of the Training College, the Committee of the Kildare-place Society earnestly protest against any attempt being made to wrest its property from it without its consent, and desire to express their confidence that the Church of Ireland would not sanction any proceeding so arbitrary and unjust.' "

Mr. Keene.—That was in reference to a resolution proposed at the Synod that was referred to just before, 2491. Lord Justice Fitzgerald.—Then I find next meeting, 23rd February, 1885.—"Proposed by Mr. Gamble, seconded by Mr. Wilson, and resolved, 'that this Committee having had the proposal of the Church of Ireland Training College . . . are willing to accept of such transfer, if the terms can be agreed to.' Mr. Nunn handed in the following protest:—'I protest against its property being transferred to or for the Church of Ireland Training College, except on lease at a fair letting value, and I require this protest to be entered on the minutes of the proceedings of this Committee.' "

The Recorder.—That was followed by heads of agreement.

2492. Lord Justice Fitzgerald.—In the heads of agreement that you finally agreed to, what were you to pay?

Mr. Keene.—There is no reference to that whatsoever.

2493. Lord Justice Fitzgerald.—Is there to be a charge on the fund?

The Recorder.—The £200 is in reference to that Judge Warren was satisfied with that as a guarantee.

2494. Lord Justice Fitzgerald.—Have I what I find in the heads of agreement. [Reads.] Does that £200 represent something that the Kildare-place Society were willing to take as against the rent that they were giving up?—Yes.

Mr. Keene.—Well, that came on a proposal from the Training College.

The Recorder.—That is the term which Judge Warren insisted on as a guarantee for the maintenance of the non-Government side, and Judge Warren is the mover of the resolution there, and he told me himself his reason was—and I believe there is a letter to that effect in writing—that the object in asking for rent was he paid was to enable them to stand in a position to require, in making arrangements for the joint school, that the non-Government side should be provided.

2495. Lord Justice Fitzgerald.—The Kildare-place Society is, by its original rules, a Society for giving education to all classes of professing Christians, without any attempt to interfere with the peculiar religious opinions of any. It provides that the Scriptures are to be read, but that all catechisms and books of religious controversy are to be excluded. Is not this non-Government department a department in which catechisms are to be insisted upon, and then how do you explain the fact that the Kildare-place Society are insisting on £200 a year being allotted to a purpose directly contrary to their rules?

Mr. Keene.—It appears to be in accordance with the *op probi doctrina*.

2496. Lord Justice Fitzgerald.—Instead of *op probi*, it seems as far off as you can make it.

Mr. Keene.—The main principle, namely, the reading of the Bible is insisted upon, though the catechism was given up. The Recorder has stated that the £200 was Judge Warren's clause, and I cannot say anything further.

2497. But it is a proposal to allot £200 a year to a strictly denominational purpose?—Yes.

2498. And that £200 so proposed to be allotted to strictly denominational purposes proposes to represent the interest of the Kildare-place Society, which was practically a non-denominational society, though only for fifty-two years past that Society had no beneficial interest. Is that right?

Mr. Keene.—Judge Warren felt that one side is provided for, 75 per cent. being paid for by the Government while the other side has no such support, and I fancy his sympathies were excited on that account.

Lord Justice Fitzgerald.—I do not understand why the fund out of which it is proposed to appropriate the grant to the non-Government, and therefore denominational side, is the most undenominational part of the whole property, namely, the supposed interest of the Kildare-place Society.

Dr. TRAILL.—I suppose that Judge Warren's idea

was, that as the Bible was compulsory in the non-Government department, and not compulsory in the Government department, leaving out the catechism altogether, the compulsory reading of the scriptures was so far in accordance with the original formation of the Kildare-place Society, and be overlooked the question of the catechism.

2502. Lord Justice FRINGHAM.—But why when the Kildare-place Society since 1854 never really got more out of the premises than they spent upon them, should they now create a profit rent of £200 a year, and require it to be spent on denominational purposes?

The Recorder.—The truth of the matter is that though they called themselves purely undenominational, the real fact is from 1853, so far as the Roman Catholics were concerned, they were considered by Roman Catholics as altogether denominational, and in 1855 from the time of their entering into the arrangement with the Church Education Society they became openly so. With Presbyterians, of course, it is a difficult thing.

2503. Professor DOUGHERTY.—Long after 1853 I find grants made to Presbyterian ministers for schools, and in the year 1857 I see an entry "to William Blackwood, Synod of Ulster Society, £4 0s 6d."

The Recorder.—When I speak of purely denominational I do not include your denomination; but the Roman Catholics in Ireland refused to have anything to do with them, and in 1859 the Church Education Society was formed, and these from that out they began their arrangement with them, and from 1860, that is, thirty-six years, they have been almost a Church Society.

2504. Lord Justice FRINGHAM.—What are the schools for which the non-Government pupils are being trained?

The Recorder.—Well, there are a certain set of schools, some of which are mentioned in the blue book here.

2505. Lord Justice FRINGHAM.—Schools managed by the Church Education Society, or conducted on its principles?—Well, it is for those schools.

2506. Well, the rule of the Church Education Society is, that the children of the Church are to receive instruction in the Holy Scriptures, and in the catechism, and other formularies of the Church under the direction of the Bishop and parochial clergy, and under the tuition of teachers who are members of the United Church of England and Ireland. Therefore are not these non-Government pupils—pupils not mainly for Protestant schools but for Church schools?—They are. Some of the Church Education Society schools I believe do not insist upon the formularies.

2507. Then the £200 representing the profit of the Kildare-place Society is by this scheme to be appropriated to a strictly denominational Church purpose?—Yes.

2508. And the real profit received for more than half a century was not £200, but practically nil?—Yes.

2509. And the gentlemen now claiming to represent the Kildare-place Society are not qualified as members under the rules?—I believe not.

2510. Your first clause proposes to vest the buildings in trustees, to be hereafter named, in trust for the governing body of the Training College. How do you propose to constitute the trustees?—Those bodies of agreement which were the basis of our negotiations in the previous year proposed that the transfer should be to the Representative Church Body, and in accordance with that we made an attempt to get an Act of Parliament passed which probably or possibly might have been successful but that the passing of this enactment under which this Commission is constituted made it advisable to proceed no further, inasmuch as this Act would enable what was necessary to be done; but after the Act passed some members of the Representative Body, including, I may mention, Judge Warren, were not willing that the Representative Body should take charge, although the Representative

Body had, before we went over to negotiate the bill in Parliament in the spring of 1883, passed a resolution that they would accept the terms in these heads subject to some conditions.

2511. Dr. TRAILL.—Have you got that resolution of December, 1885?

The Recorder.—The resolution of the Representative Body was passed in February, 1885.

2512. Dr. TRAILL.—Can you hand that in?

The Recorder.—I will be able to get it for you.

2513. Dr. TRAILL.—What is the date of it?

The Recorder.—February, 1885. It was April, I think, that we went over, and the first draft of the bill was prepared in the Irish Office by the courtesy of the Government last year. However, the session was going on, and there was a great deal of public business, and this bill was abandoned as we thought better to wait for the operation of this Act. The Representative Body on our application again considered the matter, and they passed a resolution favourable to the acceptance of this trust, but subject to the opinion of their legal committee.

2514. Lord Justice FRINGHAM.—This is the resolution—"16th December, 1885.—That the Representative Body will accept a transfer of the property of the Kildare-place Society in trust for the Governing Body of the Training College, provided that the legal committee shall be of opinion that the Representative Body will not thereby incur any responsibility except the payment of head rent." Of course it is quite in our power, if we saw our way to do it, to carry out that provision, and I suppose we may take this as a resolution that the Representative Body will accept the transfer?—(Witness.) No, my lord, because after this they had a small meeting of the legal committee and they sent us to decline.

2515. Lord Justice FRINGHAM.—But that is on the ground apparently of responsibility for more than the head rent. Is not that a resolution that they are prepared to accept a scheme if the property be vested in them free of responsibility for anything more than the head rent?—I am obliged to say no, because we got a communication that the legal committee met, and they declined to accept the offer.

2516. Lord Justice FRINGHAM.—If the reference of the legal committee was confined to getting an opinion as to whether they would be liable for more than the head rent, they were quite right in thinking that they would be liable for more, but we can remove that difficulty. Has that resolution been rescinded?—Never.

2517. Lord Justice FRINGHAM.—This resolution is that they are prepared to accept these premises, provided they are under no responsibility except head rent?—Yes, but I am obliged to add that the representative of the legal committee wrote to say that the legal committee would not advise it.

2518. Lord Justice FRINGHAM.—Yes, but the function of the legal committee was restricted to expressing an opinion whether the Representative Body would incur any responsibility except the payment of head rent. But assuming the scheme, which under the statute has the force of an Act of Parliament, to provide that the Representative Body shall incur no responsibility beyond the payment of head rent, has the resolution to accept the property on these terms been rescinded?—No.

2519. Lord Justice FRINGHAM.—You want to vest this property in trustees to be hereinafter named?—Yes.

2520. Lord Justice FRINGHAM.—These, according to your scheme, are to be a co-opting body of trustees—seven persons named with power to co-opt whom they please afterwards?—It was just coming up to the time when it was necessary to send in these schemes under the Act of Parliament when we got the communication that the Representative Body were unwilling to accept this.

Dr. TRAILL.—We ought to have the resolution of R.

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 &c.

the legal committee here, because it appears to have been the cause of your changing the whole thing.

The Recorder.—I am going to explain that. We were obliged to introduce this scheme—I do not know in what form the legal committee came to the conclusion, but a letter came from Judge Warren to the Archbishop of Dublin, saying that the legal committee did not see their way to advising the Representative Body to act, and advising us strongly to insert trustees instead.

1918. Lord Justice FRYGROVE.—Was not that quite clearly right according to what the resolution directed them to do, because your scheme did impose a responsibility, besides the payment of head rent, on the trustees?—Witness.—Well, my lord, there is no answer but you to what you have stated, but I understood that Judge Warren recommended the legal committee still further to object generally to undertaking this trust.

1919. Lord Justice FRYGROVE.—What would you recommend yourself, because we have to answer what is best—do you recommend seven co-opting individuals?—My proposition would be certainly this, that as this Act of Parliament gives a power of incorporating, it would be a very desirable thing to get the benefit of that great advantage which the statute holds out, and therefore that we should get an incorporation from this Commission.

1920. Lord Justice FRYGROVE.—If there is to be an incorporated body—who should they be?—Assuming that the Representative Body—because I have never changed my mind as to the desirability that they should be the trustees—assuming that they did not come into that proposition, I think that the governing body ought themselves to be incorporated, as it seems a reasonable sort of way to have trustees for the governing body, who will not have complete control. One of the advantages of incorporation is, that it allows the legal existence of a permanent governing body, although they may be formed in a fluctuating way.

1931. Lord Justice FRYGROVE.—Assuming that we will incorporate the body in whom this property is to be vested, how would you propose to form it?—I think that the governing body ought to be incorporated, and I think that that incorporation should be exactly on the analogy of the Representative Body; but I still hold that as there is a large church corporation, to wit, the Representative Body, it is not good policy to be reduplicating machinery of that kind, but if we cannot induce them to act there should be a separate incorporation.

1932. Dr. TRAILL.—Could not their difficulty be got over? Under this scheme the general funds of the training college would be liable for the £200 a year insisted on by the Kildare-place Society. Suppose that that liability was taken off the Representative Body altogether, so that they would not be liable for anything more than the head rent, would there be any difficulty in passing a scheme for that purpose?

The Recorder.—I do not know.

1933. Dr. TRAILL.—Could you arrange with the managing committee so as to take all the responsibility off the Representative Body?—Yes, our proposition was that the Representative Body, should take the mere trusteeship of the property because, of course, the Representative Body could not be expected to be the managers of a college.

1934. Lord Justice FRYGROVE.—How would you propose to work section 10: "The following, being the managing committee as constituted by resolution of the General Synod of the Church of Ireland, together with such members of the committee of the Kildare-place Society as may consent to be co-opted by the said managing committee, shall form the governing body of the said college and schools. Vacancies in the governing body shall be filled from time to time in such manner as the said General Synod shall direct." Is your idea that representatives of the Kildare-place

Society are to be placed upon the governing body?—That clause was put in its present form in consequence of the heads of agreement which provided, as one of the terms of our treaty, that they should not be excluded from the place in which they held as much jurisdiction and had so much interest, that any of them should be allowed to join it. The reason for this somewhat crude proposition is that our power emanates from the Synod, but we have from the Synod only the resolution of April last, which is set out on page 5, "That the following do constitute the managing committee," and we have not got from the Synod, as yet, any more specific stated powers.

1935. The difficulty we feel is this: you want to put in new trustees for the benefit of a new governing body of a denominational training college, the property of the Kildare-place Society; and the Kildare-place Society upon certain terms have come in joining you in an application that that should be done. The Kildare-place Society was in law, according to its constitution an undenominational society. It was founded for the education of the poor of all denominations, expressly on the face of the laws and regulations, and its members were bound to exclude from their schools, conditions and formularies of every kind that restricted them to particular denominations; that is of practical importance still, as between you and other Protestant denominations, because they were bound to give an education which would be unobjectionable to all denominations of Protestants. Well, those claiming to represent the society have proposed in this scheme, that the money that is to represent in the future their interest in the premises shall be applied to an ecclesiastical church purpose, that is to say, that it shall be applied progressively with their original foundation of *ex parte*; you, on the other hand, have accepted the proposition and are coming in to promote it. But what we want to hear now is, why you, the training college committee, a strictly denominational body, who have gone already a long way to establish a training college, by expending a great deal of money upon permanent buildings, upon premises which are the legal property of the Kildare-place Society, are to be hampered in the working of your institution by restrictions sought for by those who without title claim to represent the Kildare-place Society?

The Recorder.—I have already said that this proposition of trustees was inserted when the last day was approaching for resolving schemes, in consequence of the declining by the legal committee of the representative body to act upon its resolution. It was hurriedly done, and, as I have said, against my humble judgment.

1936. Lord Justice FRYGROVE.—Then are we to understand that in the settlement of the scheme, assuming that we saw our way, which I cannot suppose, to devote these buildings which are now of some value, including your own money, legally and permanently to the purposes of the Denominational Training College of the Church of Ireland, the government and the legal title to the property ought to be vested in the same body, which should represent your own denomination?—Certainly; and the reason, my lord, why it took this form is I presume this, that if you have not got an incorporated body you must get some body of trustees.

1937. But the first object of this Act of Parliament is to enable all charities which have been lying or wasting property as these people have been allowing property to drift for fifty years without a legal owner, to get rid of all that by incorporation!—It was identical on these grounds that I ventured to dissent from this proposition, and if the representative body did not act, my respectful suggestion to this Commission would be to give incorporation to the governing body, and that the governing body should be formed on very much the same principle as the representative body, that is to say, by triennial election; in other words it would follow the charter of the

representative body as to the mode of constituting the members of the governing body.

2530. Dr. TNAH.—One-third to go out every year?—Yes.

2531. Lord Justice FRANKLIN.—I suppose you will be able to send us in, in writing, with some authority from the Synod which you represent, a more definite proposal for I find Judge Jackson died in 1858, and since 1858 this property has been vested in nobody knows who.

Mr. TNAH.—Part in his executor.

2532. Lord Justice FRANKLIN.—Part in his executor, and the rest may have been divided among his co-executors.

2533. Rev. Dr. MONTAGU.—Would it satisfy your view if the representative body of your Church were to have the power of selecting the governors of this institution?—Yes. At first they had no function with regard to educational establishments at all, being established only for the purpose of guarding church property; but in 1875 there was an Act of Parliament passed, a general Act of Parliament amending the Church Act, which gave the representative body power to take property for educational or other trusts connected with the Church. They are not a body to manage a school?—No.

2534. Therefore, you did not perceive if the representative body became the owners of the legal estate in these premises to make them anything but the

trustees of the fixed property?—No. In England there are what are called official trustees of charities, who are given power to be only the guardians of the property, and to be the plaintiffs or defendants in an action, but they are entirely freed from any managing responsibility; and my suggestion was that the representative body should take a position similar to that of the official trustees of charities in England, who are now the official trustees for educational purposes in England.

2535. Then comes the question in whom the management of the institution must be vested?—We have no right to appear here except as a body formed by the general synod and at present all that we have from the general synod is the resolution of April. That is where our difficulty was. It would have been presumptuous for us to form a scheme in which we were to speak of what was to be done by the general synod until we had consulted them, but the annual meeting is in April, and we intend to have a supplementary scheme, or supplementary schemes, and my proposition would be to form a representative governing body, and that they should be elected under the sanction of the synod, a certain proportion of them.

2536. Lord Justice FRANKLIN.—Do you say that within the next two or three months you will be able to give us a proposal as to the constitution of the managing body you want?—Yes, clearly so.

Mr. C. H. KENN, recalled.

Mr. C. H. KENN.

2537. Lord Justice FRANKLIN.—Have you the old books of the society?—I have the old balance sheets back probably to the beginning of the society. I certainly have them for a great number of years.

2538. If you have the old balance sheets you want the totals only of gross income and gross expenditure of the society in each year from its foundation to 1832, inclusive. Then we want also the total sum expended in each year from the foundation of the society to 1832, inclusive, in the premises in Kilburn-place and Kilburn-street in purchase-money, including fines. You said you had one entry of £5,000, I think?—Yes, £5,000.

2539. Then give us a copy of that entry and of all similar entries?—Yes.

2540. We find in your book of grants coming down pretty late, a good many grants to schools in England. Do you know what those were for?—Well, I do not remember.

2541. There are schools in England receiving aid as late as 1847 and 1848?—I believe we got some aid

from England for a considerable time. I will try if I can find an explanation of that.

2542. Also we observe grants to the schools of the Reformed Presbyterian?—Yes.

2543. They come down as late as 1852, and even after that. Do you know how they continued to receive grants from you?—Well, I do not know except that the only thing that could exclude them would be not reading the scriptures. I do not know the particulars.

2544. Professor DOUGLASS.—Are you aware that they were a body who did not join the National Board?—I think the only thing that would exclude them from our grant would be not reading the Scriptures.

2545. They are included not excluded. Do you as a matter of fact give grants to schools under the National Board?—Within my time I may say never. I believe it was done once or twice. It was on occasions in which all the children attending the National school read the Scriptures.

Very Rev. H. H. Dickinson, D.D., Dean of the Chapel Royal, sworn and examined.

Very Rev. H. H. Dickinson, D.D.

2546. Lord Justice FRANKLIN.—You are a member of the Training College Committee?—Yes.

2547. And you wish to make a statement in regard to the provision in the proposed scheme, and clause 5 in the heads of agreement as regards the allocation of the £200 annually?—Yes. Simply that it would involve us in an injurious contract, because though I am free to admit that in purely voluntary schools we might place out a few of our teachers, but I am not in favour of keeping up formally a non-Government department. And that contract was modified; because it exists only so long as there should be persons offering themselves; but I am in favour, and always have been, of as soon as possible terminating that non-Government department, on the simple ground that I think it is a very unfair thing to teachers to encourage them to cast their fortunes into the non-Government system. I, for one, would never encourage young people having an aptitude for the life of a teacher to go into that department, and so displace themselves from the status and

service entitling to pension. And, for that reason, having the interest of the teachers at heart, as well as the general cause of education, I am personally anxious that the non-Government department should be terminated as soon as possible, and I should rejoice therefore if by the action of this Commission we were discharged from that portion of our contract.

2548. Might you not by discharging yourselves from that contract lessen the probability of your receiving subscriptions from people approving of this?—No, if we were ourselves to do it we might, but if you were to do it it would be a different matter. You would get all the blame in that case and we should not.

2549. Have you any objection to clause 7 of the scheme?—The said college shall continue to be open as at present to students desiring to be trained as teachers for schools in connexion with said church, but which are not included amongst the schools specified in the rules and regulations of the Commissioners of National Education. The number of such students

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admissible at the beginning of any term shall be regulated by the Council at the time being for such teachers, and the special fund then at the disposal of the college for the equipment of its work."—I am in favour of it, but not in favour of having the special fund earmarked at £200 a year.

2548. The year objection is not to the principle of keeping the college open for training teachers for non-Government schools, but is to applying that £200 to the purpose.—Yes; coming under contract to apply it. I would only apply to it such special funds as should be contributed to it by—I was going to say a foolish public—well, by those who are inclined to waste their money in that way.

2549. If we come to the conclusion that the £200 representing the Kildare-place Society's interest in the premises ought not to be restricted to denominational purposes, would that meet your difficulty?—It would exactly; and I should be very glad.

2550. Now, are you in favour of continuing the book store?—That was made a sort of condition and we accepted it as a condition, but we are indifferent about the matter, and perhaps on the whole—I am speaking for myself—I would rather that we were relieved of that trading business.

2551. But the business seems to be successfully carried on and a useful business?—It is a useful business. I understand that there is sale for the books, and that we should not be losers by it.

2552. I observe that this is only to be done "as long as it shall seem to the governing body to be for the advantage of the said college so to do."—Yes. The primary schools connected with this training college are necessarily undenominational with a conscience clause, and consequently it is to be remembered by the Commission that the very reason of the training college itself is to prepare teachers for schools that are undenominational, and not only undenominational in fact, but essentially undenominational, being National schools in which they must have that conscience clause; therefore, I think the difficulty is not about the money being applied for denominational purposes, our primary schools being undenominational and the training college being connected with them.

2553. And your argument would be that the interest of the Kildare-place Society in the premises would be applied to undenominational purposes by being applied to the practising schools?—Yes.

2554. But these practising schools impose a charge on you as a matter of fact?—But it is absolutely necessary for the purpose of a training college to have a practising school, for otherwise we could not have an opportunity of training the teachers.

The Recorder.—It is a condition of the Government grant.

2555. Lord Justice Fitzgerald.—In order to meet this difficulty with regard to the undenominational character of the Kildare-place Society you suggest that the money representing the Kildare-place Society's interest should be treated as expended on the undenominational practising schools? Well, of course, in order to take that view, we should see that it is expended on them, and it will be if these practising schools continue a charge on our funds.

The Recorder.—If I might interpose, I was going to mention that; I am obliged to the Dean for reminding me of it. Even on the denominational side, with regard to the teachers it is purely denominational, but the undenominational element largely and necessarily enters because one of the conditions with respect to the Government department is not that it may be, but it must be in schools in which there is a conscience clause, and therefore although the teachers who are in training are in training on the denominational principle, yet part of their training is in open practising schools and those trained on the Government side must, not may, take office afterwards in schools with a conscience clause.

2556. Lord Justice Fitzgerald.—And their col-

leagues on the non-Government side may therefore also be trained for undenominational work.

The Recorder.—They must be, for that is one of the conditions; they are not exclusively confined to what are called National schools, because they include also Industrial schools and schools established for soldiers and seamen and those under Government sanction entitled to parliamentary aid, but all those must have the conscience clause in accordance with the principle established by Mr. Forster.

2557. Professor Drummond.—But the institution for which we are now to frame a scheme, is, as I understand, a purely denominational one?

Dean Dickinson.—Not purely, because an essential part of that training college is the practising school, and I find the salaries of the teachers are £1,700, and the expenses of the practising school £197, so that a very large part of the expense is for the part of the institution which is undenominational, this is the practising school.

The Recorder.—The aid that we get from the Government in the portion which they do recognize, that is the Government side, is only 75 per cent. of the expenses of it, and the reason suggested was that this was supposed to represent the secular element, and it was thought that the denominations might take upon themselves 25 per cent. of the entire establishment, as representing the denominational interest, the State taking 75 per cent., or three-fourths as representing the secular interest, and in this particular case the Government department, although it is denominational in the sense that it is under the religious management of a denomination of which they are all members, yet still it is supported by the State in its secular capacity to the extent of three-fourths.

2558. Dr. TRAILL.—Could you separate all these items of salaries of teachers, and say how much is expended for the teachers in the training college and how much in the National or practising schools?—£1,750 is given as the total of the salaries.

The Recorder.—The reason of that is this: although these departments are kept separate in one sense, all the young people are taught in exactly the same way.

Dean Dickinson.—On the very outside of the premises is "National Board Schools, Kildare-place," showing on the face of it that it is an undenominational school.

2559. Dr. TRAILL.—I have an entry of £1,750 for the salaries not only of the National schoolmaster, but also of the teachers of the training College, and I wanted to have these two separated in order to see if the amount spent on the National Education establishment would be as much as £200 a year.

2560. Lord Justice Fitzgerald.—Would you be prepared to accept a provision compelling you to expend upon the practising schools a sum of money equivalent to the value of the Kildare-place Society's interest?

Dean Dickinson.—It would very much improve our practising school if we did.

The Recorder.—I am sure we may say "Yes." The condition of that £200 being to be expended on the non-Government side was the result of a treaty which we came to, and by which we considered we were bound, because at the time the treaty was entered into this Act of Parliament was not passed, and the Commission had not been formed, and therefore when we proposed to do what the scheme proposes to do, we could only have done it by the medium of an Act of Parliament; everyone knows that the passing of an Act of Parliament largely depends on the amount of opposition that it may receive, and therefore we were very much in the hands of those gentlemen as to what conditions they would make with us, and there were certain clauses in the heads of agreement which were *de rigueur* with them; there were several representing the purely Scriptural element without a conscience clause who said, "we cannot be parties to anything that would prevent these schools in the country being

will maintained, and they cannot be maintained without a training college, and you must keep up the training college, and therefore we will ask you to pay us the whole of that £275 a year, in order that we may get a *less standi* from which we may put in this £200 a year clause." Well, that being the bargain we did not consider that we were at liberty to say that that bargain does not exist, merely because with out being able to anticipate it, this Act of Parliament has passed under which you are formed, and we did not think that because you are free as a Commission, we were free to break through the agreement.

2564. Lord Justice Fitzgerald.—The fundamental rule of the Kildare-place Society is that the schools best adapted to the wants and circumstances of Ireland are those where the Scriptures without note or comment shall be read, but all catechisms and books of religious controversy excluded. Another rule requires that the funds of the Society shall be devoted to the support of such schools alone, and therefore if we find that there is a sum of money, whether £200 a year or not is immaterial to the principle, representing the Kildare-place Society, it is our duty to see that it is applied in accordance with the rules, and not with stipulations which others have put forward. If we find it our duty to require that whatever money represents the interest of the Kildare-place Society shall be expended upon schools of a character corresponding to their rules, will you accept the obligation of expending it on your existing schools in Kildare-place?

Dean Dickinson.—I have already told your lordship that I am prepared to accept it.

2565. Lord Justice Fitzgerald.—This is not a question of agreement at all!

The Recorder.—I should like before saying yes to know what the other members of the Committee think. I do not know what their answer would be, but I think I can say that we could readily do so.

His Grace the Archbishop of Dublin.—May I make one remark with reference to what fell from the Lord Justice. Undoubtedly in one sense all the Kildare-place schools were undenominational inasmuch as they did not require in the schools any catechism, or formularies, but in another respect they were more denominational than the present National system, because the Holy Scriptures were there read to all the children, and at any hour of the day, and it was upon that very ground that Judge Warren and others have a conscientious scruple in handing over what was believed to be a trust with reference to that form of denominational teaching. Therefore, I submit with great respect that funds that were originally applied to the support of the Kildare-place schools being at that time a semi-denominational system might be with a fair show of justice applied now to another similar system.

2566. Lord Justice Fitzgerald.—We find grants by the Kildare-place Society coming down to a very late date to Presbyterian schools and especially to the Covenanting Presbyterian schools which were opposed to accepting National Board grants, and were actually taking the funds of the Kildare-place Society till a recent period, it is a difficulty in this present scheme that they propose now to devote finally to the Church of Ireland alone money that represents the interest of the Kildare-place Society. Of course I can quite see that the Roman Catholics stood in a very different position from those who received the money; but all through, both in their dealings with the Church Education Society, and subsequently, the Kildare-place Society seems to have kept up its interest as lender, and they propose also to keep on the offices engaged in the book business.

The Recorder.—Now, that was also a clause which they introduced when it was proposed to take their functions from them.

2567. Lord Justice Fitzgerald.—We are bound to provide for vested rights, and although the engagements were temporary engagements, I suppose they would have lasted a considerable time; if you keep on the book business it seems reasonable enough that you should continue the staff, but with

respect to the registrar proposal is to capitalise his compensation and give him a lump sum as if he had a freehold.

The Recorder.—With regard to that, that is a part of the agreement between us and the others, as to which we consider we are entirely bound as far as we can be, with regard to Mr. Keene's position. He has been for a great length of years there. He is a gentleman of scholarly attainments and I do not wish to say more in his presence, and for sixteen years he has been in office with those people, and it is a very reasonable thing that he should not be called upon to continue under an entirely altered state of things. We consider it very reasonable that he should receive this compensation, and the analogy in what is done under Acts of Parliament in the case of the abolition of an office.

2568. Lord Justice Fitzgerald.—But the Acts apply only to officers bound to give their whole time!

The Recorder.—The new regime is so different from the old that the office is not to be retained. It is the only office, I think, which is not to be continued. Another reason was that they have a considerable sum of money in hand, and we propose to take it over.

2569. Lord Justice Fitzgerald.—There is another clause which requires some consideration. It is the sub-clause of the 11th section, which says that the expense as between the two governing bodies, is to be charged on the training college in execution of the Kildare-place Society, whereas the 15th clause provides that the costs of this scheme are to be payable out of the Government stock.

The Recorder.—The meaning of that was that the 6th sub-clause, in the body of agreement, provided for the case of this not being performed. We were under an obligation that no part of the expense of it should fall upon them. They said if you want to take the property it is not fair that we should be asked to take any of the expense, and we said that was very fair, as between the two, and when the Commission was formed the general cost would come out of the fund by the Act of Parliament if there is an available fund; and there is. And we propose to charge the expenses which must be charged on the fund by the words of the 32nd section, and also whatever your Commission would consider was fair and reasonable for the costs and expenses of this scheme, upon that sum of money which they propose to give over to us provisionally under the 11th section.

2570. Dr. TRAILL.—Is the amount of stock in the hands of the Kildare-place Society sufficient to meet the compensation to the registrar, and these other charges?

The Recorder.—It is; a sum of £1,554.

2571. Dr. TRAILL.—Have you made a calculation of what the capital sum would be that would be necessary to pay Mr. Keene?

The Recorder.—About £200. We have done it as economically as possible.

2572. Lord Justice Fitzgerald.—"The training college shall continue the support hitherto given to the schools specified in the fourth schedule." That will also depend on the question whether the interest of the Kildare-place Society goes over to you or not.

The Recorder.—Yes. Now, I may mention that the numbers in existence on the government side of the college are sixty-six girls, and twenty-one men, making eighty-seven; and on the non-government side twenty-one in all; nineteen are girls, and two men.

2573. Lord Justice Fitzgerald.—That will make altogether in your institution 108.

The Recorder.—103.

2574. Lord Justice Fitzgerald.—And of the 108 eighty-seven are government, and the rest, the twenty-one, are non-government. What is your charge for pupils?

The Recorder.—Ten guineas for men for the two years, and seven for the women.

2575. Lord Justice Fitzgerald.—For the year, or for the two years?

March 16, 1864.

Very Res. R.
H. Dickinson,
c.c.

March 15, 1886.

Lord Plunket.

The Recorder.—No; for the two years.

2573. Lord Justice Fitzgerald.—Then you heard and teach them for five guineas a year?

The Recorder.—Yes.

2574. Lord Justice Fitzgerald.—And seven guineas for the women?

The Recorder.—Yes; and still it has been complained of, very much complained of. Archbishop Walsh complained that in Marlborough-street they are not charged anything, but get a shilling a week in pocket money.

2575. Lord Justice Fitzgerald.—I suppose you saw the resolution arrived at by the National Board that all ought to be put on the same basis, government and non-government.

Lord Plunket (Archbishop of Dublin).—On the part of a great number of the committee, although the Commissioners are not in any way bound by it, I should like them to know that the agreement came to with regard to the £200 a year was part of a very solemn undertaking, and one by which we feel ourselves very strongly bound, and I wish on my own part and on the part of others to express a hope that nothing may possibly be done that would lead in any way to its abrogation.

2576. Lord Justice Fitzgerald.—I may tell your Grace that the difficulty about it is a legal one, and arises in consequence of the constitution of the Kildare-place Society, and the position of the gentlemen who now claim to represent it. We have not been able to trace either in the proposed application of the money or in the title of the existing members of the committee, any identity with the old Society.

Lord Plunket.—I think the fact that I mentioned before is of importance, namely that these funds were given to schools where the Holy Scriptures were read to all, and at any time during the day.

Dean Dickinson.—Was this so, my lord?

Lord Plunket.—It was; at any time during the day; there was no restriction.

Dean Dickinson.—They were read aloud, I believe, at the close of each day's work.

Lord Plunket.—That may have been so, but there was no restriction.

2577. Lord Justice Fitzgerald.—They were schools in which the reading of the Scriptures was compulsory, but the introduction of denominational furnishings was absolutely for children.

Dean Dickinson.—The reading of the Scriptures was not compulsory on the part of the children. They were read by the teachers.

2578. Lord Justice Fitzgerald.—"Schools best adapted to the wants and circumstances of Ireland are those in which the Holy Scriptures without note or comment shall be read, but all outcries and books of religious controversy excluded," unless the teachers read them to an empty school-room they must have been read to the children.

Lord Plunket.—I do not claim that a fund given for one purpose in years gone should be applied to another purpose subsequently. But you must take into consideration that it was a semi-denominational school in which the children were taught, and the teachers trained, and therefore that consideration ought to have some weight in the allocation of the funds now, and if a portion of the money should go to provide for non-Government schools, I think it would be to a certain extent carrying out the original design, and I hope that the Commissioners will bear that fact in mind.

2579. Lord Justice Fitzgerald.—I need not tell your Grace that we will. It is a difficult question. There is another matter we should be glad if your Grace would say a word or two about, that is the proposed governing body, seven trustees, in addition to whom there is to be a managing committee. Can you suggest any scheme by which we could get a more representative body, for if the premises are devoted to the purpose of a denominational training college, it would appear that the governors should not be a mere self-electing body. It was thrown out that the Representative Church Body might be made official

trustees and then it would be only necessary to provide for an elective managing committee. If on the other hand the Representative Body did not take it, we do not see why there should be two bodies, one the trustees, and the other the managing committee.

Lord Plunket.—Well, I think if it were possible to incorporate the managing committee so as to do away with a separate body of trustees, that would be a desirable arrangement. The managing committee is a thoroughly representative body, because as at present constituted it has been chosen by the General Synod of the Church, and therefore the co-opting of members afterwards would as far as it was possible, think carry out the original design.

2580. Lord Justice Fitzgerald.—Well, we have asked the Recorder whether he can find us in a proposal by which the governing body, if also the trustees to hold the property, would be a representative body, and he says that he thinks that he could do so.

The Recorder.—We propose at the next meeting of the Synod to have a more organized governing body, that is to say, formed somewhat more on the principle of a representative body, if we can get the sanction of the Synod.

2581. Dr. TRAILL.—Does your Grace think it desirable to have two chartered bodies within the Church, when the Representative Body under the Act of 1875, got powers expressly from Parliament to act for educational purposes?

Lord Plunket.—I think it would be better that there should be only one; but I assume that we shall feel to obtain the consent of the Representative Body.

2582. Dr. TRAILL.—But we have the consent of the Representative Church Body, so far as they are concerned. The only hitch occurred in a legal matter with regard to this particular scheme. Here is a copy of a resolution passed unanimously by the Representative Body, and there was no communication from the Representative Body reversing that. The legal committee thinks, according to the last clause of that, and examining this scheme, that it would hold the Representative Body liable to more than the head-vent, and therefore they could not accept it; but if it turned out that the clauses to which the legal committee objected on behalf of the Representative Body are not an essential part of the scheme, would there be any objection to accept it without them?

Lord Plunket.—But the legal committee came to the conclusion that their consent would involve them in a further responsibility.

Dr. TRAILL.—But if the portion of the scheme is removed which would render them liable to more than the head-vent, under that resolution the Representative Body would be quite ready to take the property as official trustees simply, not being liable for anything more.

2583. Lord Justice Fitzgerald.—If the property of the Church of Ireland Training College can be vested in official trustees, whose responsibility will be confined to the property, do you think it now advisable that three trustees should be the Representative Church Body, or a newly incorporated governing body for the training college itself?

Lord Plunket.—Well, I think it would be better, if there were no difficulty on the part of the Commissioners, if it was arranged that they should be an incorporated governing body of the college itself.

2584. Lord Justice Fitzgerald.—Independently.

Lord Plunket.—Yes.

2585. Lord Justice Fitzgerald.—Well, in that case, if there was an incorporated body of official trustees, should it be the same body who would also have the management of the College itself?

Lord Plunket.—I should say so.

2586. Lord Justice Fitzgerald.—Then, in other words, this complicated arrangement, which posits as a great deal in this draft, of having official trustees in one section and another managing body in another, you do not think ought to be maintained?

Lord Plunket.—No; I do not.

Mr. JENN.—In the event of your not agreeing to the scheme proposed, which is, substantially, to transfer all the property to the training college, would it be competent for the Kildare-place Society to bring in a scheme with a view to having the property legally vested in some considerable person? I am awkwardly created here, because all the members of the Kildare-place Society who agreed to this scheme are absent, though only represented by Mr. KENN.

2587. Lord Justice FERGUSON.—You are the only one who opposed it, and you are here?

Mr. JENN.—Yes. This scheme would be an application of the property of this society to a diametrically opposite purpose to that for which the society was formed and had been carried on. From the time the premises were let to the Church Education Society (or the purpose of carrying on the training school), the Kildare-place Society did not take any part in the management of the concern.

2588. Lord Justice FERGUSON.—They have not had anything to do with education practically in that place since 1854.

Mr. JENN.—No, because they thought it well to let the premises to the Church Education Society, and to receive the rent out of them; and I do think that if the Kildare-place Society retained the value of this property it could make use of it in a very useful manner. At present, my objection to this scheme is that the training college has of necessity a penalising school under the National Board, which prohibits the purpose being carried out in that school for which this society was established; and although as the Recorder has remarked, or the Dean of the Chapel Royal, I don't know which, that the rule only required the Scriptures to be read, it was evident from the history of this society that it was having a very decided effect on the people of the country, for it stimulated the heads of the Roman Catholic Church to influence the Government and to get the National Board established, and the money stopped that they were paying to this society. We have not been able to find out any school in which within very strict terms our money could be applied, but we have never given money to any school in which it was not part of the rules of the school that the Scriptures should be read or learnt by every child in attendance.

2589. Dr. TRAILL.—Then you object to both departments of the training college, one because it does not insist on the Scriptures, and the other because it does insist on the catechism. Is not it the fact, that it violates both provisions of the rule of the Kildare-place Society, since one-half does not make the Bible compulsory, and the other half makes the catechism compulsory?

Mr. JENN.—Both sides are inconsistent with the principles of the Kildare-place Society.

2590. Lord Justice FERGUSON.—And do I understand you to say that the money representing the terms of the Kildare-place Society, should still in 1886, and thenceforward, be expended in strict accordance with the original constitution of that society?

Mr. JENN.—Yes, my lord.

2591. Lord Justice FERGUSON.—How long have you been a member of the Committee?

Mr. JENN.—Some fifteen years and upwards.

2592. Lord Justice FERGUSON.—Now, opening your book at the date of the 5th of June, 1875, which was within your time, I find that the largest grant given for years, £38 18s. 3d. is given to the Irish Church Mission.

Mr. JENN.—They read the Scriptures in their schools.

2593. Lord Justice FERGUSON.—Are they schools from which catechisms and all books of religious controversy are excluded?

Mr. JENN.—No, they are not; what I stated was that we could not get a school during the time which came strictly in every particular within our rules.

2594. Lord Justice FERGUSON.—And therefore

you took the one branch of the dilemma that pleased yourselves, and left the other out.

Mr. JENN.—And more than that, one of the special provisions in the foundation of the society was that it should be for the benefit of all classes of professing Christians in the country, and we are well aware that in the Mission Schools large numbers of Roman Catholics attend.

2595. Lord Justice FERGUSON.—Are there any schools now where the Scriptures without note or comment are read, and all catechisms and books of religious controversy are excluded?

Mr. JENN.—I have said, my lord, that there are none.

2596. Professor DOUGLASS.—Does not all this show that the society has entirely its usefulness, that there is no possibility of reviving its functions in accordance with its original foundation?

Mr. JENN.—I do not know that.

Lord PHIBBS.—That leaves out what I stated before, that it is impossible now to apply the funds for exactly the same purposes that they were applied to originally. They were then applied to a complex system of education, partly denominational and partly non-denominational, and I think that now the Commissioners might feel that they were only acting consistently if they applied them to a system which had the two elements to a certain extent combined. I wish also to mention—I don't know whether it has been already alluded to—that two of the denominational colleges in England are carried out upon the same dual system. They have a certain number of students who are trained for the Government schools, and a certain number who are trained for other schools. I merely mention this to show that the system which we propose is not an unknown one, that there is a precedent for it in England; and Sir Patrick Keenan, before he consented to such an arrangement, went over to England to specially visit one of those schools at Chichester, and satisfied himself that there was a sufficient analogy between the two cases to justify the Government in extending it to others.

Lord Justice FERGUSON.—And I may say that the Dean of the Chapel Royal, who is a member of the committee, says, he has no objection to dissent from this scheme. Now, we have heard all the evidence that anybody is anxious to give in this matter, and I think we understood both the nature of the proposal, and the difficulty of carrying it out. There are questions on which I must consult my colleagues, but we will communicate with you about it. The proposed governing body, and proposed trustees in the draft scheme are unsatisfactory, for the reasons we have pointed out, and in addition a great deal of the scheme depends upon the view that we may be obliged to take of the law bearing on the obligation lying on the body that retains the property of the Kildare-place Society. But, I think I may say we are all satisfied that the money that has been expended on this property, and the use to which the buildings have been converted, would make it very inexpedient to divert them from that use, and therefore the buildings ought to be continued in their present mode of usefulness, subject, of course, to whatever provision it may be just for us to make, in respect of any interest in these premises that represents the Kildare-place Society. We will consider whether we should ourselves now draw up the heads of a scheme, and then let you come forward with objections to that scheme on all sides, as I suppose you would be at least likely to do, or whether we should wait till you have had an opportunity of putting forward proposals after discussion in the synod as regards the constitution of the governing body. Without saying which of these courses we will take, there is no further evidence that we need now take in this matter, but the first time that we have an opportunity of consulting we will do so. The Lord Chancellor is away, and Dr. Molloy has gone to a meeting, and therefore I cannot speak his views, except that I am disposed to think they would be that the

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Mr. JENN.

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Mr. Rosen.

denominational college should be made as safe in its title as possible, consistently with the views we may take as to the charges on the title from another quarter. Is there any standing body representing the General Synod, which only meets at long intervals, which would have authority to speak for the governing body of the Church as regards the details of a matter of this kind?

The Recorder.—Oh, yes; there is the standing committee.

Mr. Niven.—The Synod will meet in a month.

Lord Justice Fitzgerald.—Speaking for myself, I should be anxious to deal with this case without any unnecessary delay, for, among other reasons, this important reason, that there now is a property which we find to be as far as legal title is concerned, absolutely

derelict. There has not been a legal trustee of it since 1858, when the last of them died. In the meantime, we find the most complicated arrangements going on, and a large sum of money expended upon it. That was exactly the state of affairs that this Act of Parliament was intended to enable charities to get rid of. And, therefore, this scheme I for one should be very glad to see brought quickly forward, in order to secure the great advantage that this Act of Parliament gives.

Lord Plunket.—Speaking for myself, I should be quite satisfied to leave the matter now in the hands of the Commissioners, and to allow them to proceed with the matter without any further expression of opinion on the part of the standing Committee of the General Synod.

Adjourned.

March 16, 1896.

The Royal
Irish Academy
of Music and
the Coulson
Bequest.

TUESDAY, MARCH 16TH, 1896.

At the Office, 25, Nassau-street, Dublin.

Present.—Right Hon. the Lord Chancellor and the Right Hon. Lord Justice Fitzgerald, Judges Commissioners; and Rev. GEORGE MOLLOY, D.D., D.Sc., F.R.I., ANTHONY TRAILL, Esq., M.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, Wm. EDWARD ELLIS, Esq., LL.B., was in attendance.

THE ROYAL IRISH ACADEMY OF MUSIC AND THE COULSON BEQUEST.

Mr. Bowley, q.c. (instructed by John McManis, Esq.), appeared on behalf of the Corporation of Dublin.

Mr. Bowen (instructed by P. Maxwell, Esq.), appeared for the Commissioners of Charitable Donations and Bequests.

Mr. Gerris Walker (instructed by Messrs. S. & R. C. Walker), appeared for the Trustees of Miss Coulson's Will. Sir Francis W. Arnold, Bart., q.c., represented the Royal Irish Academy of Music.

The Right Hon. the Lord Mayor and the Town Clerk, were also present on behalf of the Corporation.

Mr. Bowen referred to certain proceedings which had been instituted by the Commissioners of Charitable Donations and Bequests in the Vice-Chancellor's Court, for the purpose of having a scheme settled for the management of Miss Coulson's Musical Bequest. Counsel also referred to an order made by the Vice-Chancellor in the matter, and submitted that his Commissioners were bound by that order to continue the proceedings in the Vice-Chancellor's Court. Accordingly the Commissioners of Charitable Donations had just lodged in the Vice-Chancellor's Chambers a draft scheme. Counsel further stated that he appeared only in the case of the Coulson Bequest, and that he was not in any way instructed to interfere in the case of the Royal Irish Academy of Music, and contended that as the Coulson Bequest was in process of being administered in the Vice-Chancellor's Court, this Commission should not interfere.

The Lord Chancellor.—The Coulson Bequest is really second in the list here. The Royal Irish Academy of Music is the first case, and of course we have been very glad to hear you, Mr. Bowen, but I think it would be more convenient that you should hear what the Royal Irish Academy of Music have to say, as it may turn out, when you have heard their views, that the conflict which you think may be brought about between this Commission and the Court of Chancery will not take place.

Lord Justice Fitzgerald.—We should be very sorry to think, Mr. Bowen, that there was the slightest prospect whatever of a conflict between this Commission

and the Court of Chancery. I for one would not enter into any such thing; but it occurs to me that, as the Lord Chancellor has suggested to you, the first thing is that your Commissioners, who are after all only to see that a scheme is settled for the administration of this money, ought to hear the proposals from the Corporation of Dublin, and from the Royal Irish Academy of Music, and from the people who are beneficially interested in this matter which you are not, as to whether it would be well to administer the whole thing in one institution.

Mr. Bowley, q.c., makes a statement on behalf of the Corporation. He referred to the terms of Miss Coulson's will, creating the charitable trust, by which the Lord Lieutenant, the Lord Mayor, and Commonalty of Dublin, and the executors of her will were to be the trustees for the carrying out of the trust. A conference was held between some members of the Corporation, and of the Royal Irish Academy of Music, and the trustees of the will, with a view to ascertain how the intentions of the testatrix could be best carried out. And as a result of this conference, the Corporation passed a resolution that a committee of their body should be formed to act with the Royal Irish Academy of Music, and the trustees of Miss Coulson's will, in carrying out the trust. For this purpose it was necessary to apply to the Court to settle a scheme, and as the Corporation could only proceed by information, it was arranged that the Commissioners of Charitable Donations and Bequests should proceed by petition under Lord Bowley's Act to have a scheme settled.

Sir Francis W. Brady, Bart., Q.C., sworn and examined.

March 24, 1928

Sir Francis W. Brady, Bart., Q.C.

2597. The Lord CHANCELLOR.—What position do you hold in the Royal Irish Academy of Music?—I am one of the Honorary Secretaries.

2598. How long has this Academy been in existence?—It has been in existence since 1856.

2599. How was it originally founded?—The statement laid before the Corporation of Dublin, prepared by myself with reference to the Corken bequest, gives a history of the Academy in considerable detail as to its management, and I think it gives all the information that your lordship would wish.

2600. Perhaps you would be able to tell us shortly how it originally came to be established?—It was originally established by a few gentlemen of whom I was one, and including the late Baron Greene, the late Chief Baron Pigot, the late Judge Barwick, and some others, thinking that it was desirable to have such an institution in Ireland, analogous to similar institutions on the continent, and to the Royal Academy of Music in London.

2601. Was your original object instrumental music only, or vocal and instrumental?—Originally instrumental only, but it was very shortly extended to vocal.

2602. And was it intended to provide instruction in these subjects?—That was one way in which it was intended to promote its objects, and another way was by engaging teachers of eminence as artists to become professors in the academy, and so improve generally the art of music throughout the country.

2603. The main object of the foundation was to provide suitable instruction?—That was the main object of the foundation; and this statement to which I have referred your lordships, gives in detail the various steps that were taken to provide funds for opening the Academy, and for carrying it on.

2604. Rev. Dr. MONRO.—Were the funds entirely derived from voluntary subscriptions?—Not entirely derived from voluntary subscriptions; but voluntary subscriptions and gifts. For example, the Dowager Marchioness of Downshire in 1858 presented it with a sum of £450.

2605. The Lord CHANCELLOR.—Is that sum still remaining?—I am sorry to say that it is not.

2606. It was not capitalised?—Well, it was, but the capital was broken in upon from time to time, in cases of necessity.

2607. Rev. Dr. MONRO.—The Academy has no public endowment?—No public endowment, except a limited Parliamentary grant which was originally £150, and was subsequently increased, until it is now £300.

2608. The Lord CHANCELLOR.—That is annually voted on the estimates?—Annually voted on the estimates.

2609. Rev. Dr. MONRO.—What is your entire property, independent of the annual Parliamentary grant?—Independent of the annual Parliamentary grant, we have had donations given to us from time to time, which your lordships will find in the little document called "The Constitution of the Academy."

2610. Lord Justice FITZGERALD.—You are located in Westland-row?—Yes, my lord.

2611. How do you hold the house in Westland-row? We hold the house for a very long term of years, subject to a nominal rent—specifically rent free.

2612. Who are trustees?—The trustees are myself, Mr. Maxwell Hutton, and Mr. Doyle.

2613. And you hold the house in trust for the Royal Irish Academy of Music?—Yes.

2614. How are new trustees appointed?—Hitherto by a meeting of the council. There was only one instance of a new trustee appointed, and then there was a deed executed transferring the house to the new trustees, with the continuing trustees.

2615. Have you any active duty as trustees?—We are legal trustees, holding the house for the benefit of the society.

2616. Have you any other property of the society under your control?—Yes, we have. The other property

of the society your lordship will find also at the end of the document I handed in.

2617. I see here first the Begley Fund?—Yes, the Begley Fund; that is a very small sum invested in the names of the three trustees.

2618. The Lord CHANCELLOR.—What is the Albert Fund?—The Albert Fund was formed thus:—When the Albert Memorial, which is in Leinster-lawn, was completed, in consequence of the arrangement made with the late Mr. Foley, that he should be paid a fixed sum of money, the amount of subscriptions being invested in the funds had accumulated; there was, therefore, a surplus, and that surplus was divided into two portions; one half was given by the committee to the Royal Hibernian Academy of Painting in Abbey-street, and the other half was given to the Royal Irish Academy of Music.

2619. And that you have still?—That we have still. That sum was invested in paying off a mortgage that existed on the house—£2,000 was the purchase money of the house—we had not the whole of the money, and the vendor, Mr. de Barché, of St. Donough's, allowed portion of it to remain outstanding on mortgage, and this mortgage was substantially paid off by the Albert Fund, £340.

2620. Lord Justice FITZGERALD.—So that the Albert Fund is to be treated as a charge on your house for £340?—It is so, my lord.

2621. What instrument regulates the trusts of the Albert Fund?—A resolution of the subscribers, or what I happened to be Secretary of the Albert Memorial Committee, and had something to do with the division of the fund, and a letter was written accompanying the gift.

2622. Your use of the Albert money is regulated by the terms of the letter?—By the terms of the letter.

2623. What document contains the trust of the Begley Fund?—A letter from Dr. Begley.

2624. You give the interest on the Albert Fund for the foundation of the Albert scholarship?—Yes.

2625. Are these computed for?—Yes, computed for among the pupils generally.

2626. Of the Academy?—Yes. The third fund, which is the largest of all, is a bequest under the will of the late Mr. Oswald Vandeleur, of £5,000; £1,000 was given absolutely to the Academy, and the remaining £4,000 was invested by the Commissioners of Charitable Donations and Bequests in Government stock, I believe, and they pay to us the interest, which amounts to £120.

2627. The Lord CHANCELLOR.—Then, as I understand, your property consists of the house, of the Albert Fund which is a charge upon the house to the extent of £340, the Begley Fund, and the Vandeleur Fund?—There is a considerable amount of property invested in musical instruments, a very valuable library; and there are two or three smaller gifts—£50 by a medical gentleman in London, Dr. Perry, £20 by Mr. J. Power. £100 was also given by the late Miss Dowling Nesbitt towards a building fund; a considerable portion of this fund, formed of the residue of the £1,000 Vandeleur Fund and smaller gifts, still remains invested in bank stock in the names of the trustees.

2628. How much?—Between £600 and £700.

2629. Of bank stock?—No, it is £160 14s. of bank stock.

2630. Independent of what you have told us what other income have you?—Our other income consists of a Parliamentary grant of £300, which, of course, is contingent on being voted by Parliament, but it is also contingent on this, that the annual subscriptions amount to £100, and before the Treasury pay the £300 I have to send a certificate that the subscriptions reached £100 for the year ending 31st of December past.

2631. Rev. Dr. MONRO.—I see an item of £120 also?—That arises thus:—A small portion of the pro-

March 13, 1906.

Mr. Francis W.
Steady, Esq.,
&c.

miss, the back portion, the stable, &c., is subtle; in fact for a considerable time we had to sublet several rooms in the house to enable us to remain there, but gradually we were able to get the whole into our possession.

2633. The Lord CHANCELLOR.—What are the subscriptions?—The subscriptions are £1 annually from supporters and friends. It is very difficult to get a sufficient number; in fact, I am sorry to say, that for the last year, the subscriptions, I believe, owing to the state of the country, &c., were only put down at £104. Well, there are a few more than that, £8 more, paid over at the beginning of the year, which were principally applicable to last year; but the margin fixed by the Treasury is coming too near us.

2633. Lord Justice FRERGERSON.—I see that in the estimates that grant appears in this way—"Irish Academy of Music, grant in aid, £500—£150 of the total grant is made on the condition that private subscriptions to the academy amount to not less than £100 a year." There is also an entry on the paper—"to the Royal Academy of Music, to provide suitable accommodation for the purpose of the institution, £500 in each year." That is, I see, the English one?—There is that distinction. There are no conditions attached to the grant to the English institution. There was at first £150 given to us, and then £100 given conditionally for three years at the time; and then the late Lord Frederick Cavendish thought it was not worth while to divide the money, and I asked him to put it all into one amount, and he did so, and since then we have got £300 in one sum.

2634. What are the amounts of fees and the number of pupils?—I have a return of the number of pupils. It gives in detail the number of pupils in each class.

2635. I suppose that includes the same individuals sometimes in more than one class?—It does, sometimes. In some cases the same pupil attends one or more classes. The total number was put in our report the other day.

2636. About how many?—About 200. I know there was a falling off of slack in the twelve months.

2637. The Lord CHANCELLOR.—What was the total amount of fees?—The total in the balance sheet last year was £1,829. Our object has been to make the pupils' fees pay the professors' salaries. The professors' salaries were rather more than the pupils' fees in that year, but in former years they nearly balanced each other.

2638. Rev. Dr. MOLLOY.—The year before, they exactly balanced each other?—Yes.

2639. The Lord CHANCELLOR.—I see that the amount paid in respect of salaries is £3,011 18s. 8d.?—Yes, my lord.

2640. Is that the salaries of the musical professors only?—Only their salaries, and those of the lady superintendent, and the registrar.

2641. Lord Justice FRERGERSON.—You have got a list in detail of salaries?—Yes, my lord.

2642. I see there are twenty-two professors and teachers of different kinds?—Yes, my lord.

2643. And paid at different rates—some paid salary, some paid a fee per hour, and some paid both?—Yes.

2644. And your expenditure upon them is about equivalent to the receipts from the pupils?—That has been always our object—to make it so, leaving any balance to be used for general purposes.

2645. Including, I presume, prizes for the pupils under these special trusts?—Yes; but the prizes to the pupils are almost all paid in the form of giving free instruction—paying their fees. For example, at the distribution of the prizes last year there was £22 10s. paid in money to the pupils, but except that sum the interest on the prize fund is all given in the form of free instruction, that is to say, in paying the professors' fees.

2646. Rev. Dr. MOLLOY.—That is, exempting the pupils from fees?—Yes.

2647. The Lord CHANCELLOR.—The largest portion of your income is the fees paid by pupils?—Yes.

2648. And you say the number of pupils receiving instruction is about 200?—About that. I cannot give the exact number.

2649. Can you tell us what is the constitution of the society?—The governing body is the annual elected annually by the subscribers.

2650. Lord Justice FRERGERSON.—Have you any deed, or is it by resolution?—I am not sure that there was even that, until the other day we put down our rules and regulations in a more formal manner than they had been hitherto, partly for the objects of this Commission, and partly for the Commissioners of Charitable Donations and Bequests who wished it to be done; but as we advanced by slow steps from a very small condition indeed, there was no formal document constituting us at first.

2651. Then, in fact, you are not now, and probably until this Commission was established, could not have become a body that the Court of Chancery or the Commissioners of Charitable Donations and Bequests could treat as properly constituted to receive property?—I think it is very doubtful. We have no corporate existence certainly.

2652. The Lord CHANCELLOR.—But you have had trustees?—Yes, they were appointed by the subscribers.

2653. And you have taken bequests?—And we have taken bequests.

2654. Can anyone become a subscriber?—Any one.

2655. What is the subscription?—One pound.

2656. And the subscribers elect the council?—The subscribers summoned annually elect the council and the honorary officers.

2657. The council consists of a very large number of persons?—Yes.

2658. How is the business of the society carried out?—Hitherto it has been carried on thus—the council consists of a very large number of persons, some few of them are honorary, for example, the late member for Cork, Mr. Murphy.

2659. Lord Justice FRERGERSON.—He procured the Act of Parliament that has been mentioned?—Yes, and he was also most instrumental in procuring to the Government grant. We had a long correspondence with the Government about giving us the grant. They suggested various plans, and we had a prolonged correspondence, and Mr. Murphy was very instrumental in carrying on the negotiations with the Government, and it finally came, I was told, to be said by the printers of the House of Commons, that it would be cheaper to give the grant than to print the correspondence. And, at all events, we got it.

2660. The Lord CHANCELLOR.—Can you tell us what the wishes of the Society are as to any changes to be introduced into their constitution?—So far as what I presume to be the object of this Commission here is to do, our wish is certainly that all our funds should be amalgamated into one body, that there should be one important school of music in Ireland, where music could be developed and taught in the best possible manner.

2661. You do not think there is room for two societies in Dublin?—I won't say that there is not room for two societies, but, I think, it would be very much better to have only one.

2662. Lord Justice FRERGERSON.—The property of the institution that you represent under the name of the Royal Irish Academy of Music, would appear to be the house, these three bequests, also whatever may be subscribed annually by subscribers from year to year. Bearing that in mind, what proportion or share of representation in the government of this one body do you propose as fair for your side of it?—That is a very difficult question to answer, and we would rather submit the subject to the judgment of the Commission.

2663. The Lord CHANCELLOR.—It comes to this, that you have not got any very definite views?—We have not got very definite views. The other bodies may have got definite views however.

2664. Lord Justice FRERGERSON.—But, if you tell

as yours and they should, we will try to come to a conclusion on them all!—Well, the bodies supposed to be interested are the Corporation of Dublin and Colonel Ward, and the Academy of Music. These are the three bodies interested, as I apprehend, under Miss Coulson's will certainly, and as I hope, in all the property. We had a conference the other day.

2672. Rev. Dr. MOLLOY.—Between whom?—Between the committee of the Corporation and the Academy of Music; it was suggested by members of the Corporation that the Academy of Music and the Corporation should be represented equally. It occurred to us that the Corporation were asking for too much, but the representatives of the Corporation suggested that they have power, and as far as the members of the committee present were concerned, were quite prepared to exercise that power, to increase the funds of the Academy by a grant in aid, from the rates of the city. Under Mr. Murphy's Act of Parliament they have very considerable power to do so, and if that power was exercised it would increase immensely the importance and the advantages of the Academy of Music; and bearing that in mind, I, speaking for myself, as I expressly stated I did, did not object to what the Corporation asked for, though, I did think, that they were asking for rather much; but it is right also to say that other members of the council of the Royal Irish Academy of Music who were present do not quite concur with me in my view, that is to say, they thought that I went too far in giving in so much to the Corporation.

2676. The Lord CHANCELLOR.—What was their view as to the proportion?—I do not know that they have any definite view. They did not express any fixed view as to the proportion, but they thought that what Mr. Bewley has submitted to your lordships was too scarce—half-and-half. Further, there is this to be borne in mind, that Colonel Ward was not represented at the conference, and there was expressly reserved his right to have a voice, which of course he would be entitled to as trustee.

2677. Lord Justice FINNGERSON.—Now, your representation would to some extent depend upon the amount of subscriptions that you got?—Yes.

2678. I mean the subject matter that you represent?—Yes.

2679. Would you think it just that there should be some provision that the amount of representation on your part should be dependent on the amount of your own subscriptions to some extent, and that the representation of the Corporation might be dependent upon their exercising those powers?—That would be very fair. You see that the Coulson fund, though they say in favour of it, is not their money the way the money of the Academy is ours.

2670. You have at present a capital sum?—We have. We want to assist the Corporation in every possible way, and I am very happy to say that from the very moment that the question was discussed, the views of the Corporation were most favourable to the Academy of Music, and it was never suggested to apply the Coulson fund in any other way than merely in connection with the academy, and the last resolution of the Corporation was, that the money should be entirely administered by the Academy of Music, the Corporation being represented on the council; and therefore as far as the Royal Irish Academy of Music is concerned, it has a most anxious desire to be on the best terms with the Corporation, and perhaps they might like to leave it to your lordships, I am speaking without having had an opportunity of consulting them, but some of the influential members of it are of that opinion. It would be my own idea that this Commission in case they took upon themselves the framing of a scheme, should take on themselves also the fixing of the proportions; that would be so far as I am concerned what the academy would desire.

2671. Rev. Dr. MOLLOY.—In the will of this lady it is provided that the money should be applied to founding an academy of music; now an academy of music is already in existence, and there might perhaps

be a technical difficulty about allowing the money to be applied to an existing academy; should you see any difficulty against a scheme providing that your academy should be dissolved in order that a new academy should be founded in connection with this trust?—If it is necessary to satisfy the words of the will, I do not see any possible objection.

2672. Lord Justice FINNGERSON.—As a matter of fact you have no corporate existence at all?—Perhaps not.

2673. The Lord CHANCELLOR.—Your view is that a certain number of the governing body should be appointed by the Academy of Music, that is to say by the subscribers to the academy?—Yes.

2674. Lord Justice FINNGERSON.—And those representing the existing property in the academy?—And those representing the existing property in the academy.

2675. The Lord CHANCELLOR.—And a certain number to be appointed by the Corporation. Would you propose that the trustees of Miss Coulson's will should also be on the governing body?—I think so, my lord; that is to say it has been considered up to the present that they should be, and they insist on it themselves.

2676. Dr. TRAILL.—Have you any ballot for members joining the academy at one pound a year, or are you liable to be flooded every year?—Well, the question of rejection of subscriptions has never arisen.

2677. If the academy is to have the selection of the persons, would you not be liable to be flooded at any time with persons who chose to do it for their own purposes—it occurs to me that you require some more stable representatives than merely representatives of annual subscribers considering they have nothing to do with your present property?—There is a great deal to be said in connection with it. The constituency is not the most stable possible.

2678. Lord CHANCELLOR.—What is the privilege of the subscribers?—They get tickets for all the concerts of the academy, and we have, as a matter of fact, given some very interesting and instructive concerts from time to time, and performed some very large works, especially during the last two or three years, and to my knowledge many persons have become subscribers, being influenced very considerably by the privilege of attending the concerts.

2679. Dr. TRAILL.—Are professional musicians at liberty to join the academy on subscribing £1, because I see one clause of this agreement was that professionals are to have nothing to do with the management whatever?—That was for this reason, that we believed if professional teachers of music were to have a voice in the governing body, it would be placing them in a very unpleasant position with regard to the professors in the academy.

2680. Are they by paying £1 to be at liberty to come in indirectly and have a voice in the matter?—Well, I suppose they are.

2681. Lord Justice FINNGERSON.—If you want a representative body, is it right or advisable that you should prescribe or disqualify any particular class of persons from being selected?—Not from being elected as subscribers, but there are objections to their being on the governing body.

2682. But if your proposal is carried out, that there should be representation of subscribers and of the Corporation, is there any necessity for putting in that prohibition upon other subscribers or the Corporation to elect professional musicians?—I think it would be very desirable. The Corporation might, for example, elect a professional musician. The agreement does not say that they should be necessarily members of the Corporation, but that they should nominate them. Then the Corporation under that clause, if not restricted, might nominate professional musicians as members of the governing body, who were not connected with the academy, and that would be considered very objectionable.

2683. Dr. TRAILL.—Should the representatives of

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the Corporation under the agreement not be from their own body?—That is not defined, and the committee of the Corporation said there were cases in which they nominate on boards persons who are not members of their own body.

2684. Lord Justice FRERGINSON.—Looking over your list of subscribers, I observe several professional musicians, and those professional musicians include several who are on your existing council?—I think you will find all the subscribers who are professional musicians are on the existing council with one exception.

2685. Would it not be a very inconvenient restriction to prevent your keeping on these gentlemen?—Professional members not connected with the academy we wish to have excluded, but the Corporation at the conference said that if they had no professional members on the council, we should not have any either, and we preferred to give up ours rather than admit strangers.

2686. How were the professional gentlemen represented on the body that arrived at that conclusion?—There were no strangers.

2687. Rev. Dr. MOLLOY.—How do you propose that the twelve members representing the academy should be selected. Is the selection to be made by the subscribers or by the council?—They should be selected by the council.

2688. Then as to the perpetuation of this body in future times, when vacancies occur amongst the representatives of the academy, how are the vacancies to be filled?—That has not been provided for. It is a very important question.

2689. There is no difficulty about the Corporation, because the Corporation goes on existing, but once this new body is created, I do not see that the council of the Academy will have any continued existence?—That is quite right, but I have no doubt that the Commission will assist us in providing for that by the scheme.

2690. I only wanted to know whether you had thought over it?—It has been thought over, but no resolution has been come to on the subject. Mr. Bewley was saying something about continuing members being elected by the subscribers from time to time, but the difficulty is suggested that you have no number of subscribers continuing, and it might be that if subscribers found that funds were coming in from other sources, they might drop off, and we would have no constituency.

2691. In fact you would have no academy to be represented?—That is true in a sense.

2692. Lord Justice FRERGINSON.—Suppose the scheme provided for the incorporation of this institution into one body, partly chosen by the Corporation, and partly by the subscribers of the Royal Irish Academy of Music, if the provision was that a fixed number, say twelve, should be elected to be members of that corporate body by subscribers of the sum of £1 each to the funds of the academy, do you see any injustice in a provision that in the event of the subscriptions falling below £100, the number to be elected should fall from twelve to some number which would represent the money that you brought in; and a similar rule with respect to the Corporation members, that they should fall also in the event of the Corporation not contributing or not thinking it wise to contribute a certain sum during the year?—In the relative proportions of our numbers, I do not see what objection there could be to that. It has been suggested that once the governing body was made fixed by the Commission, they should have the power of filling up vacancies themselves.

2693. Do you see any objection to the representatives of the Corporation, and the representatives of the academy, when they are appointed, having a limited power of co-opting a few additional members?—I do not, but I would still retain the restriction that they should be non-professional.

2694. The Lord CHANCELLOR.—Was any suggestion made as to what the contributions of the Corporation

should be?—No; but I think the Act of Parliament limits the rate that can be levied at 1d. in the pound.

2695. Rev. Dr. MOLLOY.—If there is a corporation once brought into existence, are you disposed to restrict their power in co-opting their members in such a manner as to exclude professionals, even though the Corporation itself should desire to have their assistance on the Board?—I have an objection to having professional gentlemen who are not connected with the academy having a voice in its government; and I know that the professional gentlemen connected with the academy object to it. It is, perhaps, inevitable for me to state so, being in most friendly relations with the musical profession all my life, but I have considerable experience as to the grounds for the objection. Strangers come in the capacity of critics; one teacher comes in the capacity of the critic of another.

2696. But up to the present time you have professional gentlemen on your council?—But they are only our own professors. Hitherto our own professors have been on the council. It was always a very convenient mode of consulting them. There was a difficulty in getting a number of gentlemen to meet together, and one difficulty we have always had, has been to get any gentlemen to give their time or attention at all. The return year lordships have given a return of the attendance for the last five years.

2697. Then your objection really is not to the presence of professional men on the governing body, but to the presence of professional men who are not professors of the institution?—Just so. I do not object personally to the presence of our own professors, but the Corporation did, the other day, unless they were allowed to nominate strangers, and we objected to it.

2698. Lord Justice FRERGINSON.—Suppose that your body is formed of representatives of the Corporation and of representatives of the Irish Academy of Music, in the first instance to be named individuals, you stand in twelve names, and the Corporation twelve names, and these twenty-four are to become a corporate body with a power of co-opting five or six or a dozen more, and then there are to be from time to time elected twelve by the Corporation, and twelve by you, and the remainder co-opted; is there any objection introducing a prohibition on the body so started from afterwards bringing in professional gentlemen if they thought proper?—I think there is; I think it would work better to have it distinctly stated at first as part of the constitution of the body, that professional musicians not connected with the Academy ought not to be allowed a voice in its government.

2699. Do you know any other academy or scientific association from which the people who profess the art or science as their mode of living are excluded?—Well, it may be something peculiar in the musical profession, but I do not exclude them as such.

2700. The Lord Hibernian Academy of Arts are all professional men?—Everyone, I believe.

2701. The Lord CHANCELLOR.—You are aware that the testatrix appointed trustees and executors, and that Colonel Ward is the present trustee?—The surviving trustee.

2702. How would you propose if the office became vacant that his successor should be appointed?—Unless they were to keep up continuing the trustees of the will, I do not see how.

2703. But if you have a trustee put upon a bond to administer a trust fund you should expect that the appointment would have reference to the person having some acquaintance with music, and being able to form a proper judgment on matters connected with it?—I do not see any way other than as I have stated.

2704. Lord Justice FRERGINSON.—I believe there is no other continuing trust of the will except that?—Mr. Bewley.—No, there is not.

2705. The Lord CHANCELLOR.—It comes to this, that your board at present has no definite plan as to what the constitution of the new governing body should be, further than that a certain number should be appointed by the subscribers, and a certain number

by the Corporation, in case they subscribe?—And a certain number by Colonel Ward.

Mr. Royley.—I did not intend to put on that additional restriction, that the representation of the Corporation should be in proportion to their subscribing.

Lord Justice Fitzgerald.—I think that the Corporation are clearly entitled in respect of Miss Coulson's direction, and to that extent they have a permanent interest. I doubt very much, reading the will, that Miss Coulson intended that there should be kept up trustees of her will, merely for the purpose of continuing to represent her on this body.

2705. The Lord Chancellor.—Is it the wish of your society that we should deal both with it and the Coulson fund and incorporate the governing body and also frame a constitution for it?—I think so, my lord.

2707. Would you take it that that is so?—It is so, so far as I know the views of our body, that is that the Coulson bequest and the Academy funds should be all amalgamated under one body; and it appears to me that the Court of Chancery has not jurisdiction over the Royal Irish Academy of Music and that your Commission has.

2708. Ours is not confined exclusively to the Coulson bequest?—The Vice-Chancellor has no jurisdiction over the Royal Academy of Music, and your lordship's jurisdiction appears very clear, so that our object could be attained by this Commission which could not be attained in any other way, and that is the only object of the Royal Irish Academy of Music, they have but one single object, the promotion and development of musical art in Dublin.

2709. Lord Justice Fitzgerald.—And you think that that can be best attained at the price of taking the Coulson bequest and the people interested in it into the same body as yourselves?—I do. There is one matter I wish to say in reference to the perhaps singular condition that there should be no professional members, except those belonging to the Academy, on the council, and that is this, that in framing our constitution quite recently your lordship will see that the executive committee, elected by the council, on the first page, contains none of the professors. There is a board of professors also, but a resolution of the members specially summoned to consider the constitution excluded all professors from the committee.

2710. Apparently there would be a reason for that because the professors could not be both masters and servants. What are the powers of the executive committee as distinguished from the council?—They carry on the powers of the council subject to the council.

2711. I see you have got a board of professors to assist, apparently all professionals, what are their duties?—Their duties have not been yet definitely stated. They will have to be discovered from time to time. At present their duties are rather trifling so far as I can see. The board is to give advice on musical matters when asked by the committee.

2712. I presume that when you had that governing body appointed you would vest in that body the appointments of professors, the fixing of their remuneration, and the prescribing of the course of teaching?—Yes, certainly.

2713. In fact the general management of the Society?—Yes.

2714. And I suppose you would take power in the body to appoint such committee or committees as they might think necessary for the management, and of course also a large power of making by-laws?—Certainly.

2715. Dr. Traill.—And would the professors be selected by the full council or by the executive committee?—Practically it would come to this that the executive committee might make the selection subject to confirmation.

2716. It is not provided in this scheme?—Not expressly, but I dare say that would be the way of working it. The council no doubt would have the real appointments.

2717. The Lord Chancellor.—Would you propose

that the funds at present in existence should be capitalised, and that there should be no power of breaking in upon the capital, and that the Academy should only have power to deal with the income?—Suppose that the Coulson bequest came under your control it certainly would not be in accordance with the intentions of Miss Coulson, that there should be power to usurp the capital?—We want portion of the capital for building; it is very important to have portion of the capital for building purposes, and in the scheme proposed by the Commissioners of Charitable Donations and Bequests there is a clause to that effect, that a portion of the capital, a sum that is not mentioned as yet, might be applied for building purposes.

2718. Lord Justice Fitzgerald.—Would you be satisfied with a provision that any expenditure of capital should require the prior sanction of the Commissioners of Charitable Donations and Bequests?—I think that would be very reasonable, my lord; what we want is to build a concert room.

2719. I see that you got £450 out of one concert in the Ancient Concert Rooms?—We never got an account of what that concert cost. The Marchioness of Downshire who gave it, gave us the amount of receipts, but never told us what it cost her.

2720. The Lord Chancellor.—Are there any exhibitions given to pupils?—There are scholarships. The scholarships are all applied in payment of pupils' fees, that is free instruction.

2721. That is to say, when a pupil gets an exhibition or prize the way it is applied is in discharge of fees which he or she would otherwise have to pay?—Yes.

2722. And do you think that, supposing you had a fund it would be advisable to create exhibitions different from those at present existing?—I do. I think there are many purposes for which an exhibition might be granted if we had a fund, for example, to send a very deserving pupil, sufficiently advanced, for a longer or shorter time, abroad; but, we do not think it desirable, we never have thought it desirable, to give free instruction for merely what may be called poverty without merit.

2723. Lord Justice Fitzgerald.—Then the clause that you would propose with regard to that, I presume, would be to vest a power in the governing body to give exhibitions either in money or in free instruction, or in affording means to get further instruction abroad—travelling prizes?—Something of that kind.

2724. What is "the incomparable method of the late distinguished master, Frederick Kalkbrenner"?—We have a copy of it; it is a very good method, but as far as I understand from some very good judges it is almost the only method, and it is very simple when you come to look at it. Whether Mr. Kalkbrenner introduced it or not is a question, but whether he did or not it is a very simple matter, teaching how to put your hands on the pianoforte.

2725. And the expression of this lady's intention as to following that method does not cause inconvenience to you?—No, my lord; so far as we are aware that is the method that always has been taught, except just this, that the method of Kalkbrenner was very much associated with a mechanical instrument for putting on the keys and fastening children's hands.

2726. What proportion of these 200 and odd pupils who are attending the Royal Irish Academy of Music are learning music for the purpose of making their livelihood by it?—We make no distinction, except that there are two scales of fees, one a higher and one a lower scale, and the lower scale is for those who declare in writing their intention to make music their profession, or declare that their means are such that they cannot afford to pay the higher scale.

2727. Would it not be right as part of your fundamental constitution and in your scheme to provide that any money that you spent in prizes of value should be confined to pupils who either were taking

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up music as a profession for the purpose of earning their livelihood, or whose means rendered it impossible for them to pay it.—Then we must provide some equivalent for other pupils in some other way because a pupil, whether professional or not, who shows great talent should obtain a prize. The pupil would not be satisfied with the mere honor of the prize.

2723. I am speaking of prizes of value. There are ladies who have nothing else to do and have means, and have greater advantages in competing for things of the kind than girls who have to earn their bread by it.

2723. Can you say roughly if a large proportion of your pupils have taken music as a profession or only a small proportion?—A large proportion—by far the larger proportion.

2730. I suppose you have a good number of ladies qualifying for government?—Yes, that is so.

2731. Dr. TRAILL.—They would then pay the lower scale of fees?—Yes.

2732. Lord Justice FRYGESSON.—I suppose substantially the pupils are of the same class that attend the School of Art in Kildare street?—Quite so. A great many young persons have come to the Royal Irish Academy of Music who had been getting instruction elsewhere, but their parents think the discipline of the Academy of Music is better.

2733. Rev. Dr. MOLLOY.—You have spoken of travelling scholarships—would you exclude those who

are possessed of means from these scholarships?—I am not prepared to say that I would exclude any class from the reward of merit.

2734. But scholarships are very often given, not merely as a reward of merit, but as an aid to help forward pupils of promise?—We have never given free instruction in the academy, except in the reward of merit. We have never thought it wise to bestow music to persons who are not able to pay, simply to ensure they are not able to pay. We have thought that that does not encourage music.

2735. Where you have merit, might you not give a portion of your fund to pupils of merit to enable them to get superior teaching?—No doubt.

2736. And it might be a question whether it would be desirable to spend the fund upon those who are very well able to pay for that additional teaching themselves?—Quite so; that is true; but it is a different question we have never gone into; but that a child whose parents are very well off, and who shows great talent, must be told "you are not to get a prize, because your parents are better off than others," I am not prepared to say that.

2737. The Lord CHANCELLOR.—Some test should be applied before giving a child the benefit of the endowment to see that the pupil who obtained it had some natural talent for music?—That, my lord, you cannot discover till a pupil has been learning for some little time, as a rule.

Mr. George Cree sworn and examined.

Mr. George
Cree.

2738. The Lord CHANCELLOR (to Mr. Cree).—Mr. Cree do you wish to say anything?

Mr. Cree.—Yes, my lord, there are two points I wish to say a few words on. I am co-honorary secretary, with Sir Francis Brady, of the Royal Irish Academy of Music. What I have to say, is with reference to the point of the representation of the different interests on the contemplated board, in case a united academy is the plan that will ultimately be adopted. I look upon the present existing academy of music as an institution that has established itself, and is of value in the education of the public in Ireland. And it is not a mere question of how much property we have on the premises in Westland-row. We are a going concern, with a very large number of pupils, and a number of the most eminent professors in Ireland, and an income of 22,000 a year, derived from those pupils. No body, neither a corporate nor any other body could create by a mandate this institution which has been now growing up since 1853, and therefore, I do press the good-will of this concern in the whole business as a most valuable portion of the entire property in estimating the interest of the Academy; and I say, that in any future body, those who have established that institution have a right to be amply represented. After all, this Council bequest is only an income of some £500 a year. I look upon our institution as a far more valuable endowment than that income of £500 a year, and I wish there should be no misunderstanding whatever with respect to the conference that took place the other day between the Council of the Royal Irish Academy of Music and the representatives of the Corporation of Dublin. A proposal was made, and with every desire to meet the Corporation in the fairest way, I look upon it as nothing more than a mere proposal, by Mr. Dillon, one of the members of the Corporation, that the Corporation should be represented by one-half of the entire body to be newly constituted. Now, I stood up on that occasion and said—Do not take it for granted that this proposal is assented to by the persons who represent the Academy of Music—viz., the subscribers. We, the Council, are only the elected subscribers of the Academy, and individually this thing has come upon me by surprise, without any notice whatever, and I was not prepared with any dissent or assent on the present occasion. I have now to say that I have

been considering the matter very carefully over and over, and the more I have been considering it the more unfair it appears to me that the Corporation should appoint half of the new board, where on the board of the Council bequest alone, the scheme actually assented to by the Corporation themselves was that each of the three interests—that is, the Corporation, the Council trustees, and the Academy of Music—should be represented by one-third. On what principle could it be supposed that in the joint Academy consisting of the present Academy of Music, and the Council endowment, the Corporation should have a larger representation than on the Council endowment alone? I am not alone on the council in holding this opinion, and I think when the matter is offered to the consideration of my friends that they will agree with my view. I was under the impression that one thought that probably a smaller proportion would be a reasonable proportion, that the number of the members of the Corporation should be a similar proportion to that which the original skeleton scheme fixed for the Council bequest alone, that is one-third.

2739. Lord Justice FRYGESSON.—Do you see any objection from your point of view to the representation of the Corporation depending partly on Miss Cochrane's trust, and partly on their availing themselves of the statutory power to contribute?—Well, you see the statutory power to contribute is altogether a matter of a penny in the pound. That was a thing that never spring upon us at all till the other day.

2740. But don't you think that the Corporation should be allowed a larger voice in the event of their bringing in the ratepayers' money?—Well, I do not want to put this in any invidious light, but supposing that the Corporation becomes the dominant power, the annual subscribers on whom we have had to depend up to the present time may lose all interest, and cease to exist, and this I think is likely on the above suggestion, otherwise I think from the fact that for thirty years subscribers have continued to subscribe, we are justified in holding that we shall have a representation from artistic amateurs, and persons who take an interest in music in Ireland, if their interest is not neglected by us now. Now is the crisis at which we must attend to the interest of those who subscribe.

2741. And do you agree with Sir Francis Brady, in

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Mr. George
Owen

wishing to confine the representation of the artistic class to the amateurs!—Well, that is really a very difficult question. It never arose in this establishment till the other day at this conference. We always had our own professors on the board, or the council of our academy, and we found it worked very fairly.

2742. Dr. TRAVIS.—Would not the half be a larger proportion for you than a third, if the Corkston representatives were on it; suppose the Corporation were to have a half and you got a half, would you not be getting a larger proportion than in your original proposition which would have limited the Corporation to one-third and you also to a third?—That proportion relates to the Corkston Committee alone. A representation of the interests of the Academy on the new board is a wholly distinct matter. I think, we should at least have one-half the entire board, supposing the Academy and the Corkston bequest to be amalgamated.

2743. The Corporation propose that 1.—They propose that there shall be other representatives on the board as well—namely, the Trustees of Miss Corkston's will.

2744. They could not have more than two halves?—They propose that Miss Corkston's trustees shall be on the board. I propose that we should have at least one-half on the joint board. The really difficult point is with regard to the incorporation of the new board, and it has always appeared to me that once the academy arrived at a position large enough to justify such a step, it ought to have a corporate existence. Up to the present we are simply a loose and changing body not having a corporate existence, and only having trustees to hold our property, and I think it would be well worth considering whether by a scheme we ought not to be incorporated.

2745. Lord Justice FRANKLIN.—Is not the Academy of Arts an incorporated body?

Sir Francis BARRY.—I think it has a charter.

2746. Rev. Dr. MONTAGU.—But the body will be a body incorporated by this Commission, and not your present academy. It appears to me that you have not considered the question. I put to Sir Francis Barry. What you propose is that your body should be represented on that corporate body in future. It is easy for you now to select twelve members, but in twenty years hence, the present Royal Irish Academy of Music will be a thing of past history, and I do not see how your scheme proposes that you shall be represented in those circumstances?—We have not yet proposed a scheme.

2747. But in all you have been saying you have agreed, and very strongly agreed, that your academy should have more than half the representation, and you seem to forget that five years hence, if your own idea be carried out your academy won't be in existence?—The subscribers we hope will, if they are treated fairly.

The Lord CHANCELLOR.—Speaking for myself and speaking for the other members of the Commission, the view we take is this. You are to a large extent a voluntary body, you have got a voluntary subscription, and the main portion of your income is derived from the instruction you give and from the fees of the pupils. If that is so, I should be very slow, in any circumstances, to force a constitution on a body of that kind, it would be attended with no useful result. But as I understand from you, it is the wish of the society that a constitution should be framed for it, and therefore, as far as we have gone, it appears to us that the proper course is for you to bring in and lodge with us a draft scheme, setting forth what you propose the scheme ultimately to be framed ought to be; and, of course, before you bring that in, you should endeavour to come to an understanding with the Corporation and with the other persons interested.

Lord Justice FRANKLIN.—And if you have any points on which you do not agree, you and the Corporation, or you and the trustees, make up a draft scheme from your own point of view.

The Lord CHANCELLOR.—I can only speak for myself, but I have no intention or power to interfere in any manner with the proceedings at present pending in Chancery. A summons has been produced here

which is apparently to be moved to-morrow before the Court. We have no power whatever to interfere with it, and not having the power, we have no intention to attempt to exercise it. But I think it is right to throw out this; that it is submitted on all hands there can be only one Academy of Music; that there is not room, so to speak, for a second Academy of Music in Dublin, and that necessarily Miss Corkston's bequest must be worked in connection with the present existing Academy of Music. It seems also to be submitted that the Academy of Music is to be dealt with by us, and that a scheme is, if possible, to be framed for its future management. It is manifest that in the proceedings at present before the Court of Chancery, there is no power whatever in any way to deal with the Royal Irish Academy of Music, which is at present not in any manner subject to the jurisdiction of the Court; and therefore I would put it to all parties concerned, including the Commissioners of Charitable Donations and Bequests, that, to found this academy of music, to put it on an assured basis, is a very useful public purpose, and that, therefore the Commissioners of Charitable Donations and Bequests as well as all other parties should strive honestly to co-operate together, with the view of making the best arrangement that can be made for the application of all the funds applicable for the purpose of musical education; and with no fanciful idea that we are trying to interfere with the Court of Chancery, or any feeling that we are trying to get up a contest with any other court and interfere with it. If we are to frame a scheme for the working of the Academy of Music, and if we adopt a scheme already in existence for the administration of this fund well and good; but I throw it out for the consideration of all parties, whether if this thing is to be properly done, it is not necessary that the whole thing should be considered, and that one comprehensive scheme should be framed for the purpose. I throw that out for the consideration of the trustees and the Commissioners of Charitable Donations and Bequests. As I have said, we have no power, nor have we any intention to interfere with the proceedings going on in the Court of Chancery, and it is for the parties themselves to take what steps they think proper in those proceedings. I hope in making those suggestions it will not be considered I am exceeding my duty, because I think it right in a matter of this public nature, that all should carefully consider the expediency of what they are doing, and whether the particular course that is now being adopted is the best to be followed.

Lord Justice FRANKLIN.—I thoroughly concur in every word that the Lord Chancellor has said, and I think it would be very much to be deplored if after those six sets of parties had been settling a scheme in the Court of Chancery for a very considerable time, it turned out that that scheme was really only useful for the purpose of being incorporated in another scheme which we should settle for the Royal Irish Academy of Music, and that it had been done at very much more expense, and with very much less advantage also than if the whole thing were dealt with here. I cannot accurately compare the expense of this Commission with that of the Court of Chancery, because it is as yet to a certain extent unknown, but the expense to the parties here would certainly be less than in the Court of Chancery.

Mr. Garrett Walker.—I appear on behalf of Colonel Ward, and I just wish to explain that the reason I came here was, that we understood that the Commission were to frame a new scheme or a different scheme from that before the Vice-Chancellor. I appear here to support Mr. Rosen, because we acquiesced in the order made, and were quite satisfied with it. We are of course in the position of trustees, and only wish to do what is right in the matter, and as far as I myself see, although I should like to have any opportunity of consulting my client, before I would say anything final, my own idea, having heard what fell from the Lord Chancellor, is that it would be better on the whole, that the matter before the Vice-Chancellor should stand over perhaps for a month or a short period.

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Mr. Walker.

Lord Justice FRANKLIN.—The matter for us to consider as to the trustees, is whether he should be retained merely for the purpose of appointing representatives on the governing body.

Mr. Walker.—Our position is exactly the same as the position of the Lord Mayor and the Lord Lieutenant.

The Lord CHANCELLOR.—The trustee dies in course of time, and passes away, but the Corporation exists for ever.

Mr. Walker.—My client's co-executor and co-trustee is dead, but your lordship is aware, that Colonel Ward, as surviving executor and trustee, has power to appoint a trustee, and the arrangement that was already to a certain extent agreed upon between the parties, was that the trustees of the will should be represented to the extent of one-third, along with the Corporation, and along with the Academy.

2748. The Lord Mayor.—I wish to say that as far as I am acquainted with the views of the Corporation they are decidedly in favour of union with the Academy, and for this in addition to other reasons, that the Council's request is inadequate to found an academy of music, and therefore the natural thing, as well as the wisest and most proper thing to do, would be to amalgamate with the society already in existence and which has been working very well up to this time. Then the question would arise, and has arisen, as to the governing body, and one of the gentlemen who spoke seemed to think that the claim of the Corporation to be equally represented on that body is excessive. I think that, considering that the Corporation are constituted trustees of this money, and also, as has been very properly pointed out, that they have the power of rendering still farther assistance to the Academy in its new conditions, an equal representation would not be excessive for that body. With regard to the question of the professors, the Corporation has no objection that I know of to there being professors of music on the governing body; they have only claimed that if there are to be professors of music belonging to the Academy on the governing body they should have the liberty of selecting and electing as their representative some professor on the council; because, I think, it will appear to the Commission at once that it is undesirable that the governing body of the Academy should largely rest in the hands of gentlemen who are themselves servants of the Academy. They would be their own masters, and under these conditions things are apt to get stereotyped and to travel along a given course, and we think it desirable that a breath of outer air should, so to speak, be allowed to come in upon the strings of the instrument, and that public opinion should be allowed to have some influence on the proceedings of the Academy. I think it will be granted that a society self-contained in that way, and entirely self-governing, is hardly likely to keep pace with the progress of the times. Suppose certain professors were filling a little in arrears of the requirements of the times, how are you to deal with them? There is one word more, and that is in reference to the suggestion of the Lord Justice, that there should be what I would call a sliding scale as regards the number of the governing body dependent on the contributions of the Corporation, and dependent upon the subscriptions of the general public to the Academy. I can only say that for my own part, I do not think that undesirable, but it would put to the necessity of making certain abstract calculations from year to year.

Lord Justice FRANKLIN.—Nothing more abstract than that representation and taxation should go together.

The Lord Mayor.—But it would throw us into a sum of proportion as to the representation which is to be given to the Academy's subscriptions, and I believe it has not found much favour. I think that a body consisting of a fixed number, either nine on each side or twelve on each side, should be the body to carry on the intended academy, an institution which must be very largely developed indeed, but I think it would

carry on the academy if its numbers were swollen or quadrupled.

2749. Lord Justice FRANKLIN.—I understand you, my Lord Mayor, to agree in the wisdom, or not to object to the principle of disqualifying the professor as professional musicians who are in the service of the Academy from being on the governing body?—Either that or to allow both the Academy and the Corporation to select such professors.

2750. But they want to go further, to prohibit all professional musicians whether employed in the Academy or not. I understand you to say that if they bring in professors who are both officers and servants you would wish to bring in a number who are not in the employment of the Academy?—Quite so, my lord.

2751. Would it suit your views if there was no prohibition, except a prohibition to appoint any professional man who was himself an officer of the Academy?—Quite so, especially if they who are to elect another portion of the governing body are not at liberty to elect professors also. You hit the right matter off yourself, when you said that it was for the promotion of harmony that the idea arose to exclude them.

2752. Would not your proposal be to bring from the outside some persons who are not professors, but who might desire to be so?—I was at the conference referred to by Sir Francis Brady, and the thing arose in this way; we found on the governing body a certain number of musical professors connected with the Academy, and then the question incidentally arose whether the representatives of the Corporation might not to some extent be professors of music unconnected with the Academy, and the Academy people, I think very reasonably, thought that that would not be promotive of harmony in the body, inasmuch as the other professors would come in to some extent in the capacity of critics, and the professional gentlemen present, if I do not greatly mistake, said they would rather be out of the governing body of the Academy than be mixed up with it.

2753. Dr. TRAILL.—Were you satisfied under these circumstances to give up your own right of nominating professional gentlemen?—We were satisfied either way.

2754. You would give up your right of nominating professional gentlemen provided that they give up also?—We were satisfied either way, either that both we and they should have professors on the board or neither of us, but we were not satisfied that the Academy should have professors on the board and the Corporation none.

Sir Francis Brady.—There is one matter that is very important in reference to the amalgamation scheme, that Miss Coulson by her bequest makes it to instrumental music, and therefore the establishment of an academy with the Coulson money also, would exclude a most important part of musical instruction, that is vocal instruction, which is given in the Academy of Music, and of course would be given in the amalgamated body.

2755. Dr. TRAILL.—Supposing this project of amalgamation with the Coulson bequest fell through, would your body wish to be incorporated?—We have no objection to being incorporated. I do not know that we would get on any better than we have for the last thirty years, but we have no objection to it. But I do not see that it would be of any great use indeed.

2756. Lord Justice FRANKLIN.—It would give you the necessity of appointing new trustees?—There would be some legal advantages, but that is all. We would not ask for it.

2757. But the main thing on both sides with the Corporation, and the representatives of the Royal Irish Academy of Music, is to unite the Coulson endowment with an existing body, rather than to have it the subject of an entirely separate foundation?—Yes, certainly, that is rather to have one good school instead of two.

Mr. Joseph Smith, Doctor of Music, sworn and examined.

March 14, 1844.

Mr. Joseph Smith, Examined.

2758. The Lord CHANCELLOR.—Dr. Smith, the points on which we wish to hear you, are, first, this matter that was mentioned, namely, what representation professional gentlemen should have on the governing body of the new proposed academy, and then if you have anything further to add in addition to what has been already said before us as to the advantage of having the administration of the Coulson fund united with all the other funds of the society. Now as to the representation, whether there should be one body or two?—Well we think it would be advisable to have one thoroughly representative and competent school of music.

2759. You do not think there would be room for a second school in Dublin?—We prefer not to take the responsibility of discussing that question, because it would involve the additional question of our forwarding a scheme; and we prefer to contemplate the formation of one large and thoroughly representative body.

2760. That is the view of the profession?—Of the profession, as formulated at our meeting, which I may say was a very large meeting, and very well attended, and attended both by professors of music connected with the academy and others outside.

Sir Francis Brady.—That meeting was attended one of curiosity, and almost every one who went repudiated in writing the part that was attributed to them at that meeting.

2761. The Lord CHANCELLOR. (To Witness).—As I understand, then, the view of the committee was that it would be better there should be one large central musical academy?—Yes, my lord.

2762. As to representation on the board, how do you consider that it should be formed?—Well in our memorial we drafted a scheme which we considered—perhaps I have Sir Francis Brady's permission to refer to that memorial once again, in this way that it does not embody any of those objections; I am alluding to that part of it which occupied itself with the framing of a scheme.

2763. For the government of the institution?—Yes.

2764. Lord Justice FITZGERALD.—What are your ideas, irrespective of the fact that they were formally embodied in the memorial?

Witness.—I give them as formulated at the meeting but not beyond that. We entirely repudiate the idea of any educational institution being conducted by a body of amateurs who have had no special training or have undergone no special study in the special subjects. We do not find anything analogous to it in any other institution in the world. I hold in my hand the syllabus or prospectus of what is everywhere considered a model institution of this kind, the Royal Academy of Music in London. We find there that there are four bodies—the directory, the committee of management, the finance committee, and the vice-presidency. On these four bodies the musical profession is in a decided majority, but on the committee of management, which deals with all questions connected with the administration and school teaching work of the place, we find that that committee of management consists of professional musicians, all of them, I believe, connected with the academy, with three exceptions, one of whom acts as honorary auditor, and one as honorary solicitor, and one in another capacity. Well, I have never heard any complaints against the Royal Academy of Music in London. We have never heard these vexed questions there. On the contrary, they have got a splendid record, extending over sixty years now, to show the public in the way of what they have done. They have turned out all the best composers in England, or in Great Britain, I may say, and all the best singers and instrumentalists; and it is looked up to as the headquarters of musical education in England; but up to the present, I am sorry to say, we have not been able to look up to the Royal Irish Academy of Music as the headquarters of music in this country. I do not wish to say anything invidious about the teaching

there, or the capacity of the teachers. I personally have very friendly relations with nearly all the professors, and I should be most unwilling to say one word against them. Practically I may say that, taken as a whole, they are a very capable and competent body of men. I do not wish to enter into that. I am speaking of the administration of the academy; but I think that it is a method of administration calculated totally to frustrate or almost to frustrate the objects of musical education in this country.

2765. Repudiating amateurs as you do, how do you propose that the body should be constituted?—Well, if we have a *laissez* stand in this matter, that is to say, if we are formally asked by your lordships in this Commission to take part in the formation of a scheme dealing with this question, we shall be happy to mature our views in an intelligible way. At present, I may say, that we consider that it would be no harm if the Corporation in this matter were represented by any number they chose, but that the functions of those men should be certainly not educational, or, I may say, not managerial in any way. Let them see by all means into the question of the funds, and that the accounts are strictly kept, and that there are no malpractices going on; but it is utterly ludicrous to think that any lay body could administer musical education in a satisfactory manner.

2766. Then it is your idea that both the management and the teaching should be in the same hands?—Well, what I mean by the whole business of an academy like that consists simply in teaching. I may say teaching and its concomitants; teaching and arranging the courses of studies; that is the most important thing.

2767. In many places, colleges and schools, the management is done by one body, and the teaching by another?—That all turns on the question of what is meant by management.

2768. Management is the control of the institution as a teaching institution, and seeing that the teachers do their duty properly; do you propose that the people actually engaged in the teaching should be their own masters?—I do not propose that, certainly.

2769. Then do you propose that they should be under other persons of the same profession to which they belong themselves?—In part it is desirable.

2770. But, in the other part they are not to be?—I propose to locate the professors on a distinct board altogether, called the board of studies; that board to be under the control of the larger body.

2771. You propose that a board of studies should be under the control of a head managing body, which head managing body would not necessarily be all professional?—Well, under their control, but not worked by them. They might be under the management of a mixed body, but, I think, it would be very desirable that there should be a sprinkling of professional musicians amongst that body, as a public guarantee that that body has taken some means to guide itself in the proper discharge of its duties, and, I think, that the objection that is urged against that proposal is unfounded. I think it has been asserted that any professional gentlemen that would belong to that body would be there in the capacity of critics, in a hostile sense, of the actual professors doing the work of the institution. That assumption I repudiate. I think that in the musical profession, as a body, our relations with each other are very friendly, and we know we cannot all belong to an academy of that kind. Some of us have other things to do, and, at the same time, although we may not be officially connected with an academy of that kind, we take a deep interest in it. We know that an academy of that kind has in its hands the real welfare of art in Ireland, and that the welfare and future of art depends entirely upon what that academy does for art in this country; and we think that there would be a great many men who could not possibly be connected with the academy in a teaching capacity

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Mr. Joseph
Smith, Esq.
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whose services or advice on a board of that kind would be of the highest value to the managing body.

2772. Rev. Dr. MOLLOY.—Would it meet your views if there were a managing body in which the musical profession would be represented to some extent; and if under that managing body there was a board of professors to carry out the teaching work of the institution, with the provision that no professor employed for teaching in the establishment should be a member of the managing body; you would then have a managing body with their own professional advisers upon the board, and appointing professors under them, who would be practically their officers?—Well, partially; but one of the principles involved in my view is this. We must have, and consider it is absolutely essential that we must have a musical director at the head of it to superintend the educational work.

2773. Lord Justice FITZGERALD.—Would that musical director be an officer or a master; would he be independent of control by anybody; or would he be an officer under others?—I think he should be certainly answerable to the General Council.

2774. In whom would you vest the supreme governing control of this institution. Should it be in a body of professional men or non-professional men, or in a mixture of both?—I should say that the supreme control, owing to peculiar local circumstances, owing to the interest that the Corporation have in it, should be certainly in the hands of a mixed board—otherwise not.

2775. That mixed board would represent apparently not only the Corporation, but also the trustees of Miss Coulson's will, and also on account of their bringing in a going concern and capital, their property, the existing Academy?—I think if it is a question of forming a Coulson Academy of Music, the formation of that academy would be far better even than a going concern. We do not attach the least value to the going concern, because I do not wish to speak of this otherwise than in relation to the professional question, but we find that the educational results of the academy have not been good. They have not been anything like what they ought to have been.

2776. But you started apparently with the statement that it was advisable to have one school of music, provided it could be put on a proper basis?—Unquestionably, if it could be done.

2777. You have to get rid of the Royal Irish Academy of Music, or you have to amalgamate it, and all parties have up to the present gone upon the assumption that the amalgamation and not extinction of the Royal Irish Academy of Music, is to be a part of the scheme?—I do not wish to extinguish it at all; but it should be reconstructed.

2778. Then the Academy of Music is to be allowed to have a representation?—Yes, but as the Royal Irish Academy of Music, I would hardly recognise their existence as an institution. As the holders of property, yes.

2779. Your supreme body being a mixed one, your desire is that, under that, the teaching should be in the hands of professional persons?—Yes, provided there be a musical director.

2780. Rev. Dr. MOLLOY.—Who would be a paid officer of the board?—Yes.

2781. Lord Justice FITZGERALD.—Is not this your object, that the professional teachers in the academy should be in a position as independent of the mixed board as possible, with regard to their teaching—that is, that they should be unconnected with it?—I think that is a very minor question. I think if they were allowed *ex officio* seats with regard to the educational arrangements of the institution, that is all they would want to do; but I maintain that they should have the absolute framing and carrying out of all the educational arrangements of the place. That has not been the case up to the present.

2782. If they had the absolute power of framing and carrying out what was done, what would the

Board of Governors be for?—I say the educational arrangements.

2783. Would you give the Board of Governors any control over the educational work of the Academy of Music?—Well, as to the educational details, I do not think I should be inclined to give them very much.

2784. But take the educational detail of getting a certain number of teachers who are to give services in return for their salaries, how would you propose to deprive the head body of the duty of attending to that?—I do not consider that an educational detail, but a commercial detail.

2785. Would you give the power of appointment and dismissal to the mixed body at the head?—Yes, my lord; but I would not give them the absolute appointment of the professors.

2786. Rev. Dr. MOLLOY.—To whom would you give the appointment of the professors?—My proposition would be to have a board within the board of professors, consisting of a director and two vice-directors, who should be recognised as capable musicians and men of great experience, men of great repute from the point of view of success and fitness. Those men I would entrust with the duty of nominating professors, but I would not entrust that board of directors with the appointment of them. They would simply nominate for the consideration of the general council, because I think that a body of amateurs, or a mixed body like that have no possible means of judging the qualifications of any musician.

2787. Would you have the professors nominated then by a sub-committee of the professors?—By its board of directors consisting of a director and two vice-directors.

2788. You would have the appointments made by the managers?—By the managers.

2789. Dr. TRAILL.—Would you give the mixed board, that you speak of, a vote on that appointment?—Certainly. The board of three or three directors would simply nominate, simply submit the names for the consideration of the larger board.

2790. Lord Justice FITZGERALD.—Your proposition in the outline, comes to this; that you consider there should be at the head of the institution a supreme body—a mixed, representative, corporate body, and that under it there should be professors to do the teaching work, and that those teachers should be selected by people of professional qualifications who should be left as independent as possible in the performance of their duties?—Certainly, my lord.

2791. Do you not think that the obtaining of this object would be best left to a properly constituted governing body?—Yes, my lord; if we had any guarantee that the governing body would be properly constituted, I think, it would be for their own interest.

2792. That goes back to the question—"How do you propose to constitute the governing body?"—Well, I think, as a start it would be an equitable settlement of the case if there were three or four bodies represented in this matter. I think that the Corporation and probably the existing Academy of Music should send an equal proportion of representatives. Then, of course, there would be the representatives of the trustees of the will. Then, I think, that the professors of music belonging to the two universities should be *ex officio* members of that body. I shall probably let myself under a misconception on that point, because it happens to be one of them myself; but that is only a coincidence; and the principle is thoroughly recognised in the prospectus, which Dr. Molloy has before him now, the professors of Oxford and Cambridge being incorporated in that body.

2793. Is there any existing association of professional musicians capable of being represented?—Well, except that you take the expression of opinion formulated at the meeting. There is no body actually known as the musical profession, unfortunately.

2794. Then the only official representatives that you suggest are the professors of music in the Royal

University and the University of Dublin?—Yes. Sir Robert Stewart is already there, but there is a Fellow of the College, Mr. Mahaffy, who usually assists at these examinations.

2795. Rev. Dr. MOLLOY.—Was it considered at your meeting whether it would not be desirable to allow the musical profession to select their own representatives on this governing body?—Well, it is one element that ought to be provided for. I think that the musical profession themselves should have a faculty of sending in a number of their representatives to protect—I do not say in a necessary way, but in a general way—to protect the interests of art.

2796. Would it meet the views you represent if the musical profession had a representation given to them equal to that of the Corporation and the Royal Irish Academy of Music on the governing body?—I think so. I am not authorized, but I should think that from my own knowledge of the subject.

2797. And that representatives should be elected from their body?—Yes, or by nomination, say, by this Convention.

2798. Is there any definite qualification required to be a member of the musical profession in Dublin?—No, unfortunately, there is not.

2799. How would you propose that the election should take place?—Simply take the names that appear in the musical directory. It is the only basis we have to go upon, and it is the rule we adopted in commencing our meeting last summer.

2800. What are the qualifications required for a person to have his name on the musical directory?—That I cannot tell.

2801. Dr. TRAILL.—Would the qualification of persons on the directory be that of persons who chose to send in their names?—I do not know; but I have always got a circular every year asking me whether I have changed my address, and that is all. I do not know what steps they take to ascertain whether the list is of value or not; but we know personally the members of the profession in Dublin, and I think that the musical directory represents them very fairly.

2802. Rev. Dr. MOLLOY.—Is it practically open to any person who pleases to teach music in Dublin?—Unfortunately, it is.

2803. And would his name be put down then as a member of the musical profession from the mere fact that he undertook to teach?—I do not know whether that would be the case or not; but, as a matter of fact, it does not work in that way. I should think there are some thousands of people teaching music in Dublin; but we actually only find the names of forty or fifty in the musical directory.

2804. Dr. TRAILL.—Would they be persons who devoted their entire time to music, or to other purposes as well?—I cannot answer as to the directory, but I can as to the gentlemen at our meeting. We excluded from that meeting all who were not making their living exclusively by it.

2805. Is the musical profession limited to men?—Our meeting was limited to men.

2806. And would you consider it a reasonable thing to exclude ladies from the profession that you say ought to be represented on this body?—I do not know anything that can be attained by excluding ladies absolutely.

2807. I am not talking of the representation of the profession. Would you exclude them from the profession? Are there not a great many ladies making their livelihood by music?—Yes; but I think I would rather not ask them for a vote at present.

2808. Then all the large class of governesses, ladies who teach music with or without other things, would be entirely excluded from any voice in the representation of this new academy?—Yes, I think the question of women is always a very vexed one in these matters.

2809. But is not music a specialty with women as compared with other professions?—Certain branches of it.

2810. Lord Justice FRYCHAMER.—Particularly the branch that I think Miss Cobden seems to have contemplated?—I do not think that is a very strong point, my lord, instrumental music.

2811. The piano?—It is very strong in Dublin. We are rather overdone with piano-playing in Dublin, but I do not think ladies attend generally to any other branch.

2812. Dr. TRAILL.—But you do not see ladies practicing at medicine, except a mere one in London, or practicing at the bar, but you do see ladies making a livelihood by music?—If you give the ladies time that may be; but what is the practical meaning of the question here?

2813. I wanted to know were they to be excluded from your representation?—I think for the present it would be well practically to exclude them. If any lady proves her claim I would consider it.

2814. Rev. Dr. MOLLOY.—You propose that there should be a director of studies in the academy?—Yes.

2815. What would be his functions, according to your conception?—One of his functions would be—I am speaking of him now as a director, assisted by vice-directors—his first function would be, with the assistance of the vice-directors, to arrange the whole course—the general course—of studies, to lay down the conditions for the examinations of the academy, to draw up conditions for the diploma, which certainly should be a special feature in every educational institution of that kind, and which hitherto has not existed, I am afraid, in the academy in Dublin, except in a nominal manner, and also to conduct the more important examinations, such as for the final diploma on leaving the institution.

2816. And would the director himself have the full power to do that, or a body composed of the director and two vice-directors?—I do not understand the legal duty of a man with reference to his assistant, and so I would be hardly prepared to answer that abstract question.

2817. Do you propose that the director himself should have absolute power?—No, I should say the board of directors—three.

2818. Why would you give that power to the board of directors rather than to the board of professors?—Because the board of professors would be too large to do that, and I find at the Royal College of Music in London the board of professors includes some thirty men, and the professors there form the committee of management.

2819. Dr. TRAILL.—Is there a head director there?—There is.

2820. What salary would you propose to give him?—On account of the local conditions I would propose to give the director a nominal salary; but he should do independent teaching, and I would so arrange it that his work in the institution should be so managed that he should not appear as a rival teacher or competitor with the other teachers of the academy.

2821. £100 a year?—£100 or £150 a year.

2822. Rev. Dr. MOLLOY.—Would the director be a professor of the institution?—Yes.

2823. And would the vice-directors also?—Yes.

2824. Then you would give to the three select professors a power you would not give to the whole board?—Yes.

2825. And power to regulate the course of studies for all the other professors?—Yes, just as a head master does.

2826. Dr. TRAILL.—And who would choose these three?—I should think that the general council would choose these three.

2827. The mixed board?—Yes.

2828. I thought the essence of your plan was that they were not to have so important an office as the control of the whole concern?—Well, I think that might be safely left to them, because it is generally the case that there are one or two men who are generally known as overshadowing the rest, and of whose

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professional qualifications there can be no doubt. It is not like a mere question of technical education.

2829. Then they are to be guided by the voice of the profession generally as to who is to be the person that overshadows all the rest?—I think they should be guided by public reputation, to begin with.

2830. Lord Justice Fitzgerald.—Do you see any objection that the course at public schools in England, and Ireland too, should be adopted, namely, that the council or board who do not take part in teaching should appoint the head master, and leave the management very much to him, technically speaking, subject to their control, he being a man competent to do his work and allowed to do it in the best way?—Yes, I think that embodies my views.

2831. Then you agree that there should be a representative body at the head of this school of music, not consisting exclusively of professors, but from which,

as I understand, you desire that professional men should not be excluded, and that that body should have the appointment of director and vice-director and other musical persons to carry on the teaching under the control of the head body?—Yes, I think that is what I mean; but I would not only not exclude musicians from that body, but I would make the presence of a proportion of musicians an essential feature of that body.

2832. What proportion do you say that should be?—I should say at least equal to the proportion of every other interest in that body.

2833. Dr. Traill.—That is one-fourth if there are four?—Yes.

2834. Rev. Dr. Molloy.—We may take it that in substance the views that you have laid before us are the views of the profession as represented at the meeting?—Yes.

THE CLAREMONT INSTITUTION.

The Claremont
Institution.

The Very Rev. H. H. Dickenson, D.D., Dean of the Chapel Royal, appeared on behalf of the Governing Body.

The Dean of the Chapel Royal sworn and examined.

The Dean of
the Chapel
Royal.

2835. Lord Justice Fitzgerald.—Do you hand in the statement which has been lodged as regards your present constitution and the proposed changes?—Yes, my lord, the changes being very few.

2836. The endowment is at present administered under a scheme settled by the Court of Chancery?—Yes, by the Court of Chancery, and signed by the late Master of the Rolls.

2837. And the date of the scheme as filed is the 1st of August, 1853?—Yes.

2838. Now as to the particulars of the endowment. You have £7,050 *£s.* 4*d.* New three per cent. stock, called the Claremont rent fund?—Yes; that you are aware arose from a resolution. It was not left as rent, but it was constituted a rent fund by voluntary action of the committee in the year 1851 or 1852, on the amalgamation of the Juvenile Association and the Parent Association. They passed a resolution that all legacies received should be accumulated.

2839. Then the fund called the Claremont rent fund is an accumulation of a number of legacies left to your institution which you have gathered together and capitalised?—Yes.

2840. In addition to that, you have the Barrett fund. To whom was that left?—Doctor Barrett made a will bequeathing all his money "to feed the hungry and clothe the naked," and nothing more. And then the will came into Chancery, and the Court of Chancery decided that certain of his own relations were hungry and naked, and they gave portion of the money to his poor relations, and the rest they divided among the charities of Dublin.

2841. The money is in the hands of the Commissioners of Charitable Donations and Bequests?—Yes.

2842. And in 1837, it was allotted to the Claremont Institution?—Yes, and it has been received ever since.

2843. Next, there is also the Bond fund, £158 1*4s.* 9*d.*?—That was a small sum from Mrs. Bond, whose husband was deaf and dumb, and she left a legacy to the institution. I have a list of all the legacies from the beginning, in this report.

2844. What is your interest in the lands at Claremont?—We have got a lease for ever, convertible into a fee-farm grant now, not hitherto, because there were some legal difficulties, but it is now convertible without any further cost. It is equivalent to a lease for ever.

2845. How is the rent made up?—Well, partly by the proceeds of the farm. The proceeds of the farm go £100 towards the rent; because the proceeds of

the farm last year were £304, and the expenses of working the farm were £283, and that left over £200 profit.

2846. What is the first change you propose in your existing scheme?—The first change we propose is in respect of clauses 5, and I think we may now under the powers given by your Commission, have it in the way I put it there, that the committee of the association shall, within two calendar months, nominate a trustee or trustees to fill vacancies, having regard to clause 9.

2847. I see that your association consists of a patron and patroness, vice-patron and vice-patroness, members for life and annual members?—Yes.

2848. And that certain subscriptions are the qualification for holding these various designations?—Yes.

2849. Do you propose that the trustees should be all members of your society?—Well no; I do not think necessarily.

2850. What is your next change?—The next change is clause 31. In case any alteration of the scheme shall become necessary, application may be made. Then by a subsequent document which I have sent you, there is this other proposed change. Of course there must be a rule about audit.

2851. How are your accounts audited at present?—They have been audited generally by either one of the public auditors, or by one of the principal accountants in the Munster Bank.

2852. Do you pay him?—We pay him a fee of two guineas; but I suppose a clause will be inserted providing for audit in the regular manner. And then as for inspection we should be very glad of an inspection. At present I may say, that I have been summoned to give evidence on the Royal Commission on the subject of State Aid to the Deaf and Dumb and Blind, and I see that that Commission has resolved that the condition of receiving State aid shall be inspection. We are very anxious that it should be, and it is one of the benefits of State aid, that it involves inspection.

2853. At present is the school inspected by external authority?—No.

2854. Do you receive children from the poor?—Yes, and there is a rate of £12 a year, not obligatory, that may be paid by guardians. And I suppose I should mention about our being incorporated.

2855. Yes?—I stated in the letter, that we wished to be incorporated if the Commission thought proper to do it. Perhaps I ought also to say that it would be well to put in a clause for a power of

surrendering that lease. You must remember that Clermont Institution was established when there was only one institution of the kind in Ireland, and it was intended to take in children from all parts of Ireland from all denominations; and for a long time it did. But now there is an institution which takes Protestants in Belfast, and another which takes Roman Catholics in Dublin. The Clermont Institution takes all the Roman Catholic children, and the number in Clermont is diminishing, and the place is rather too large for our present requirements, and not long ago I suggested to the committee, that it might be well to dispose of the premises for an industrial school, and get an institution nearer Dublin, that would be more compact, and I think the committee ought to have power to do that, should it be expedient.

2856. What are the numbers at present?—We have sixty at present. The number has diminished very much this last year; we take in all that are sent; we never refuse any case; but the numbers of children affected in that way are not as many as they used to be, and I suppose that arises from improved habits of living. Scrofula, which is one cause of deaf muteness, has diminished by improved habits of living.

2857. Rev. Dr. MOLLOY.—What were the numbers ten or fifteen years ago?—About eighty, and formerly the number we used to have was 130. But, of course, the parents often wished their children to be taken from us without any pressure, and when these sent to us, I think Dr. Molloy will agree that we were quite right to take them.

2858. Do you take children of different religious denominations?—They seldom come, but I think that if a parent came and pressed us, and if we said "there is Calver," and they said "we do not choose to go to Calver," then we should say no more.

2859. Lord Justice FRERGINSON.—I see that in 1860 by a former report, the numbers are returned as fifty-five on the roll, of whom fifty-one were Church, one Roman Catholic, and three others?—Yes.

2860. Do you know what the denominations are at present?—I do not think there are any Roman Catholics in the institution, or not more than two now.

2861. Rev. Dr. MOLLOY.—You have no provision in your institution for teaching Roman Catholic children their religion?—Well, what is common to both our religions we do teach them—"our common Christianity."

2862. Have you received legacies from Roman Catholics?—I do not think there has single instance of a legacy left by anybody but a member of our Church, as is apparent enough from the names, I think; but, as a matter of fact, all the legacies have been given by members of our Church.

2863. Professor DOUGHERTY.—May I ask you whether you wish to modify a statement you made when you appeared here on the question of exemption. You said that your institution was originally founded entirely by the voluntary contributions of members of the Church of Ireland?—Well, I did think so at the time, and I am not aware now of anything to the contrary. I am aware that what is stated by Dr. DUNN is rather inconsistent, that the first master was a member of the Society of Friends; that is true. I had forgotten that.

2864. What he did say is: that "Protestants of all denominations took a deep interest in its proceedings, and by their contributions, and by their personal exertions to a large extent, helped to promote its success." Mr. Edward Shaw, who was a member of your committee, and some other persons connected with the Juvenile Association were Presbyterians. I think Dr. DUNN says he himself was a member of the general committee?—Well, all I know is that I have been connected with this institution for upwards of forty years, because my connexion began when I was a schoolboy going to the Academic Institute in Harcourt-street. I

was Hon. Secretary of the Juvenile Association, and that is more than forty years ago; and, speaking from recollection, they were all members of our own Church, everyone who was a member of the committee. I do not recollect the name of Mr. Shaw; that was before I was born; the institution is seventy years of age; and in the first report here I find they are all members of the Church. But it is quite possible that Presbyterians and others may have been interested in the institution, and may have contributed to it.

2865. Lord Justice FRERGINSON.—But you have at present in your Chancery scheme exclusively members of the Church on the governing body?—Yes.

2866. Have you any objection, and if so, what is it, to the insertion into the scheme of a clause prohibiting you from giving religious instruction to children whose parents are members of other denominations?—I do not see the objection.

2867. On the other hand then there is no reason to say that you are doing so?—Yes; we go on a broad and intelligible principle; and I state now exactly what I stated to the late Cardinal Cullen, a good many years ago; we use no efforts to get in any children, but if they are pressed upon us and come to us, we do not refuse them. But if you deprive us of the power of receiving them you will be acting within your right, and we cannot object.

2868. Rev. Dr. MOLLOY.—What arrangements are there with respect to religious training of Catholic children who come to the institution?—They are all educated non-controversially.

2869. They get the same religious training as the other children?—Yes.

2870. Lord Justice FRERGINSON.—Are they intelligent and capable?—(They are all deaf and dumb) Oh, yes; but very often there are children on the border line of idiocy, and their intellects are incapable of being developed, and then they are removed; but we take all pains by certificates to provide that they shall not be sent to us unless they are capable of being taught.

2871. Do you take any blind?—No.

2872. Is there any institution in Dublin that does?—Yes; there is the Richmond Institution for the blind; there is also the Ulster Institution in Belfast.

2873. Professor DOUGHERTY.—You are aware that the institution in Belfast is managed by a mixed committee, and is supported by contributions from members of all the Protestant denominations?—Yes, but the headmaster is a Presbyterian.

2874. But that is an accident, I suppose?—I cannot say. We made a compact a great many years ago not to collect money in Ulster, and we never do.

2875. Since the Ulster Institution on those principles works so well, do you see any insuperable objection to placing your institution on a wider basis to enable all Protestant denominations to avail themselves of its advantages?—Well, I should for this reason, that I think your Presbyterian form of worship is altogether unsuited to the deaf and dumb, because it is on the hypothesis of extemporaneous prayer.

2876. Are you aware that there are institutions for the deaf and dumb in Scotland?—Yes.

2877. Are you aware that some of the most successful deaf and dumb institutions in the world are managed by Presbyterians in Scotland and America?—I am.

2878. So that your objection may be after all somewhat singular and perhaps sectarian?—I do not mean as regards general education, but as regards a particular form of worship, or ritual.

2879. I am taking it from that point of view?—I do not know how they can follow prayer which is perfectly new to them all, and inaudible.

2880. Lord Justice FRERGINSON.—It appears from the report we received from the Belfast Institution,

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that they had 111 inmates, of whom forty-nine were Church, and sixty Presbyterian, and two others—I think it would be a great deal better to leave the Belfast Institution to the Presbyterians, and let it be worked entirely on the Presbyterian basis, and let us take in Church children, and let us send to them any Presbyterian children that come to us.

2881. Professor DOUGHERTY.—But the two denominations work so harmoniously in Ulster, that I think they would object altogether to be divorced!—Well we might object to be married.

2882. It seems that where you are in a majority you object to union, but where you are in a minority you are not unwilling to avail yourselves of its advantages!—That does not represent my feeling at all.

2883. How do you explain the different feeling in Ulster, where you are in a minority!—It may be explained by the fact, that you get a great deal of money from Church people.

2884. I would put it to you, whether, as you are not able to use all your buildings under the existing arrangements, it would not be an advantage to widen the basis of your institution!—The only way to do it, would be to get children from Ulster, and then we should break our compact, and go up and get money in Ulster.

2885. Have you Presbyterian children from the other three provinces!—I do not think we have.

2886. Do they go to Ulster!—I should think they do.

2887. So that if you were to place your institution on a wider basis they would be kept in Dublin, instead of being sent on to Belfast!—Yes they might; I do not think that that would be very much advantage to them.

2888. Lord Justice FRYGEMAN.—There appears on the Report to be no Presbyterian child in the Clarendon Institution, so that there would seem to be some foundation for what Professor Dougherty says, that the Presbyterians go elsewhere!—They go to Belfast; Roman Catholic children go to a Roman Catholic institution, and Presbyterian children to a Presbyterian institution, and if any Presbyterian parents come to me with their children I say, "There is an institution where you can send them, then why do you prefer this?"

2889. Dr. TRAILL.—I should be very much surprised to learn that the Belfast Institution was a Presbyterian institution!—The head master is Presbyterian.

2890. Professor DOUGHERTY.—I believe one of your head masters in Clarendon was a Presbyterian minister!—Yes, Mr. Martin; and I may mention that at that time very few persons were skilled teachers at all, and he was a teacher.

2891. Is it not the fact that your people in Ulster prefer the Belfast Institution in Ulster under existing management!—We sometimes had children coming up from Ulster to Clarendon, and some of the committee said it was unreasonable to get children from the North, and not to get money from the North, but I always said that was our compact. We may take the children if we like, but our compact is not to take the money. There was never any religious instruction given to deaf and dumb in Clarendon other than the teaching of the Church of Ireland.

2892. Lord Justice FRYGEMAN.—Has it been always a part of the educational system to give exclusive instruction in accordance with the doctrine of the Church of Ireland!—Yes, always. At that time when Mr. Martin was master there was a respected clergyman of our church who lived in the house and Mr. Martin was the paid master.

2893. Professor DOUGHERTY.—Allow me to read to you what Dr. Dinwiddie says on that subject, "It was not till after the Rev. C. S. Stanford, who was curate of Glenties, and appointed Resident Superintendent, had the children with the consent of the Committee marched to the parish Church on Sundays, that the institution assumed anything of a distinctive character"—I do not think that is the case; that does

not accord I think, with the testimony of others. My own personal knowledge goes back a long time—40 years—more than half the time of the institution, and never was anything else but distinctively Church of that time. We have no objection if you send us Presbyterians—we will accept them, but we will not promise to give them any instruction except on our own.

2894. You can hardly expect us to pay you for bringing them up in the tenets of the Church of Ireland!—No.

2895. Lord Justice FRYGEMAN.—Has this system of collecting money in the North for the Ulster Institution, and not collecting in the North for Clarendon, worked harmoniously so far!—I think it has worked harmoniously so far.

2896. What income do you get in the present year with another!—I think most of our subscriptions come from collecting cards of children. The subscriptions and donations last year amounted with contributions for examinations to about £100. Card collection subscriptions £339.

2897. What is your total expenditure in the year!—About £2,100.

2898. Then nearly half your income is from collections and subscriptions!—Yes.

2899. And what is the other half from!—£393 from interest, and the remainder from legacies. We always have our income in advances for a year; we have our income in January for the whole year before us.

2900. Dr. MOLLOY.—Are you aware whether any children of your denomination go to the Clarendon Institution!—I do not know that any children of ours go into the Clarendon Institution, but, I suppose, if they did, they would be taught Roman Catholic doctrine, and they would go in there subject to that conflict. We should not expect that a child would be taught our catechism in your institution. I think that would not be reasonable. If you take the children, you take them on your own terms, and I should think it fair to provide that we should not be at liberty to take any Roman Catholic children.

2901. We would rather put it in the form of a conscience clause. I don't think we could prove you from taking them, but it would be a friendly act to communicate with the heads of the Catholic church the fact that such children are there, and let them have an opportunity of claiming them!—I think so. I can answer for myself, but I cannot answer for them.

2902. I suppose none of your funds come from any Catholic source!—Oh, no, they do not.

2903. Mr. ALFRED, solicitor.—Is there anything to show what the original funds came from to found the institution!—The original institution was bought, and there were some repairs and alterations in it; but I have the first report, and the names will show that it was chiefly collections after sermons in our churches.

2904. Is there a list of the contributors!—Yes. I see from the first report, vice-patrons, the Archbishop of Cashel, the Earl of Cork, Earl Annesley, the Provost of Trinity College, the Archbishop of Dublin, and the secretary was Charles O'Connell. (Reads list of names.)

2905. Professor DOUGHERTY.—Would you have any objection to make provision for the religious instruction of any Presbyterian children in Clarendon!—One great difficulty about our establishment would be this; if we had to receive any great number of Presbyterians that I don't think there is any Presbyterian place of worship for them to go to, and they would have to wait a great distance into town, while they could go to the parish church just outside the gate.

2906. There might be great practical difficulties in the way, but I wished to know whether you would have any objection to the insertion of a clause in the scheme giving the managing committee power to provide suitable religious instruction for children of other Protestant denominations, if they should have them at any time!—I would rather that we were bound to send them forward to your institution, because of the confusion

of mixing up two religious systems in one house, and because I personally think that children who are deaf and dumb require a form of prayer that they can hear beforehand, and be taught.

2907. Rev. Dr. MOLLAT.—I understand that your views are those of the managing committee of the institution?—Yes.

2908. Lord Justice FRYGROVE.—You prefer it to be kept as a boarding school for the deaf and dumb?—Yes. There is no stronger advocate than I am in Ireland of the undenominational system as regards day schools, but as regards boarding schools the case is different.

Adjourned.

March 16, 1886.

The Dean of the Chapel Royal.

WEDNESDAY, MARCH 17TH, 1886.

At the Office, 21, Nassau-street, Dublin.

March 17, 1886.

Present:—The Right Hon. Lord Justice FRYGROVE, Judicial Commissioner; and the Rev. GERALD MOLLOY, D.D., B.Sc., FR.U.I., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

ALEXANDRA COLLEGE AND SCHOOL.

The Very Rev. the Dean of the Chapel Royal makes a statement on behalf of the Governing Body of the Alexandra College, and the Alexandra School.

Alexandra College and School.

The Rev. THOMAS R. S. COLLIER, B.D., sworn.

Rev. Thomas R. S. Collier, B.D.

2909. Lord Justice FRYGROVE.—What office do you hold in the Alexandra College?—That of Rector and Secretary.

2910. How long have you been connected with it?—Fifteen years, but I have been rector and secretary only for one year.

2911. What is the title of the college to the premises that they occupy?—Purchase.

2912. How are they held—are they vested in trustees?—They are vested in trustees, I think.

2913. What interest have you got in the premises?—We have to pay ground rent, but we have a lease for ever.

2914. And do you know who the present trustees are?—They are, Archbishop Trench, Mr. Thomas Greene, Sir Andrew S. Hart, Mr. Brooke, and Mr. Wilson.

2915. And they hold the lease, I presume, in trust for the Alexandra College?—Yes, in trust for Alexandra College—for the council.

2916. Is all the property occupied by the college held under the same lease?—I could not directly answer that. It is, I suppose.

The Dean of the Chapel Royal.—It is all held under the same lease.

2917. Lord Justice FRYGROVE.—(To Witness).—As well as holding the premises in which the college is situated—have you also the property of the school?—Yes, we have 73 and 73 St. Stephen's-green.

2918. And is that leasehold?—Yes, it is leasehold, but there are only seven years remaining—it is a very short lease.

2919. Who are the trustees of that?—They are the same as in the case of the college.

2920. In reference to the buildings, I presume, in the case of 73 and 73 St. Stephen's-green, you have not erected any premises—you are simply the tenants of those two houses?—We are the tenants of those two houses. There is a building in the rear—a temporary wooden structure, erected by us for enrolling the children in wet weather—a kind of drill room.

2921. But you have valuable buildings at the college?—We have.

2922. How were the funds raised by which those buildings were erected?—By voluntary subscriptions.

The Dean of the Chapel Royal.—There was a sum of £290 raised to start with, then a sum of £1,447 for the purchase of houses, then a sum of £840 for the building fund, and then a further sum of £713.

2923. Lord Justice FRYGROVE.—One of those was the Jellicoe Memorial Fund—which was that?

The Dean of the Chapel Royal.—£713 was the

amount of that, and the fund was subscribed in memory of Mrs. Jellicoe.

2924. Lord Justice FRYGROVE.—(To Witness).—Does that represent in substance the capital spent upon the buildings that you have?—I think so.

2925. What funds have you got in the nature of annual receipts or income?—Chiefly the fees paid by students. The balance sheet (produced) of last year will show you that the fees paid by students amounted to a sum of £2,345 13s. 4d., and results fees £21 3s.

2926. That is for Intermediate education?—Yes. Then there is the rent of 5, Bedford-terrace, the place used as a residence house by the lady resident. She pays a rent for that of £150 a year. And then there is the rent from stables attached to the house, and not used by the college, which realises £25 a year. In addition to that we get two sums last year, one from the Mercers' Company of £22 10s., and another grant of £50 from the Grocers' Company. That includes the entire receipts of last year.

2927. Professor DOUGHERTY.—Is that for the school or for the college?—That was for the college.

2928. Lord Justice FRYGROVE.—What are the receipts for the school?—The receipts for the school were—fees from pupils, £2,039 11s. 3d., and results fees, £33 13s. 4d.

2929. Last year, I observe, there was a balance against the college at the end of the year of £530 13s. 6d., while the balance against the college at the commencement of the year was £394 1s. 2d., so that it would appear that your receipts were less than your income by something about £150?—Yes.

2930. I perceive also, that with regard to the school—the balance in favour of the school at the end of the year was £753, whereas, the balance in favour of the school at the commencement of the year was £834—so that the expenditure over income was in the school about £100 last year?—Oh, no; you forget that £300 worth of debentures were paid off.

2931. Then the school made a profit of £400, and the college incurred a loss of £150?—Yes, I have extracted from the balance sheets the exact income and the exact expenditure of both the school and the college from the foundation. (Document handed in).

The Dean of the Chapel Royal.—The accounts are one and the same in the bank, but as a matter of book-keeping they are kept separate.

Professor DOUGHERTY.—But as a matter of fact, you paid off £300 of debentures of the college out of the profits of the school.

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Rev. Thomas
R. S. Collins,
Esq.

2932. Lord Justice FRYGIMORE.—Taking these accounts, which commence in the case of the college in 1816, and in the case of the school in 1813, it would appear that for the last five years there has been a profit in every year in the school, in 1881 of £218 5s.; in 1882, of £145 18s. 6d.; in 1883, of 360 11s. 6d.; in 1884, of £426 17s. 7d.; and in 1885, of £383 18s. 11d. And in the case of the college there was a gain in 1881, of £249; in 1882, of £231; in 1883, of £55; while there was a balance against you in 1884, of £438; and a balance against you in 1885, of £127 1—Yes, and in that year when there was a large balance against the college, it arose from extensive repairs which had to be done to the residence house.

2933. Rev. Dr. MOLLOY.—Are we to understand that the £300 paid off last year by the school to the college had been originally advanced by the college to the school?—No; there was a sum originally advanced by the college to the school, but that was repaid.

2934. Independently of that?—Yes, independently of that.

The Dean of the Chapel Royal.—The debentures were held in the name of the college for the school, and when, as we thought, the debentures were nominally held by the school, and when the account was really one, it was a very confusing thing to have the item existing as it did, and we accordingly paid it off.

2935. Professor DOUGHERTY.—(To Witness).—The school and the college are under the same management?—Yes.

2936. With the same bank account, and both owned by the same body, and worked in the same interest?—Yes.

2937. Lord Justice FRYGIMORE.—Then I suppose it was for your own information, the two undertakings being started at different times, that these accounts were kept separate?—Yes, merely for the information of the governing body.

The Dean of the Chapel Royal.—And then it was done in order that the exact financial position of the college and school might be at all times known accurately.

2938. Rev. Dr. MOLLOY.—But it settles itself down to this—that the school is worked at a profit, and the college at a loss—is not that so?

The Dean of the Chapel Royal.—The supply of scholars for the school is constant, whereas, the supply of pupils for the college is fluctuating, arising from the different classes they come from. The college pupils come up from all parts of Ireland, whereas, the school is supplied by pupils resident in Dublin.

2939. Rev. Dr. MOLLOY.—You have applied more money earned by the school to pay the expenses of the college than you have applied of the money earned by the college to pay the expenses of the school?

The Dean of the Chapel Royal.—But the first risk was taken by the college. The school called for its finances from the college funds when it was started, and then the school was found to pay best.

Witness.—There was one year when the school owed between £500 and £600 to the college, and that has been paid off. The school paid it off.

2940. Professor DOUGHERTY.—The school appears to have returned the advances made with very handsome interest?—Yes, very much so. You will see on the schedule where there is a profit and where there is a loss in every year in both cases.

2941. Rev. Dr. MOLLOY.—So that it is more difficult to work a college preparing in higher subjects with a profit than an intermediate school?

The Dean of the Chapel Royal.—Yes.

2942. Lord Justice FRYGIMORE.—Adding up the profit and loss for the college from 1816 to 1885—the total profits appear to be in seven years—£500, and the losses on twelve years amount to £1,533—so that if the college stood alone there would have been a loss on twenty years of £733 2s. 8d.

The Dean of the Chapel Royal.—It would have been

impossible to keep it open at all unless we had what amounted to an endowment of £500 a year.

2943. Lord Justice FRYGIMORE.—£500 a year would have been far more than would have been required to keep it up.

The Dean of the Chapel Royal.—Yes, but you must remember that our scale of pay to the professors is very small.

Witness.—Our balance sheets will show that. But they are paid according to a fixed scale settled by the college. It would be a less expensive thing to work the school as compared with the college. For instance, last year the fees paid to the college amounted to £3,348 13s. 4d., while the fees paid to the school amounted to £2,089 11s. 8d. That is the amount of money income through the fees, and of course, it is the most reliable income we have. The income is nearly the same paid to the college and the school.

2944. Professor DOUGHERTY.—(To Witness).—Is the college a residential college—do the pupils reside on the premises?—It is not exactly a residential college, but there is a residence attached. Those figures that I have given you only include class fees. The fees paid for residence do not go into the college funds.

2945. Lord Justice FRYGIMORE.—Putting forward the same calculation in the case of the school as in the case of the college, the loss in three years 1878, 1879, 1880, amounted to £549 7s., and on the other hand, there has been a gain varying from £3 18s. 8d. in one year to £459—the highest—the total gains amounting to £2,340 2s. 8d. So that, as regards the school, the net gains have amounted in round numbers to £1,800, and in the case of the college the loss is about £500. Therefore, the junior department is more profitable than the senior one?—Yes. You will see by the balance sheet of last year how much less expensive the teaching staff in the school is as compared with the college, though the income is nearly the same.

2946. Is not that rather hard upon the teaching staff of the school, if they get you more fees, and you pay them less?—No, for the teaching staff is not large. In the college, on account of the number of external examinations for which classes have to be provided, the teaching staff is necessarily very large.

2947. Dr. TRAILL.—I suppose the calculation for the junior school is fixed upon a larger number of pupils?—Yes. The school is always full, whereas some of the classes in the college have only five or six pupils. When we are asked to prepare for the examinations of the Intermediate Board or the Royal University, we do not like to refuse, but we are not able to obtain a sufficient number of pupils in the college to make the cost of the teaching remunerative from a financial standpoint.

2948. Do you prepare for most of the public examinations?—Oh, yes—for the Dublin University, for the Royal University, and for the Intermediate examinations, middle and senior grade.

2949. And in the school, I presume, only for the junior grade?—Yes. The junior Intermediate examination has quite broken into the course of the school, but we are carrying on several external classes, so we find it impossible to make the requirements of the examination fit in with the ordinary course.

2950. Lord Justice FRYGIMORE.—The results for the school, I perceive, amounted to £32 13s. 4d., and in the case of the college to £51 3s. They pass a larger number of the subjects from the college?—Yes, and earn higher results fees.

2951. Your balance sheet last year shows that in the case of the college, £3,348 13s. 4d. was the amount of fees paid by students. Now, these fees paid by students are stated to include a number of exhibitions?—Yes.

2952. How is that?—These exhibitions are paid by the persons whose names are attached to them, and the persons who obtain those exhibitions are credited with the amount of money represented by the value of the exhibitions in their class fees.

2553. **Professor DOUGHERTY.**—Then the exhibition which comes in money from the donors, are taken out in teaching by those who receive them?—Altogether. The money does not go into the hands of the students at all.

2554. **Lord Justice FRYGROVER.**—The first of these is Archbishop Trench's exhibition of £30. What fund produces that?—Yes, it is a private gift from the Archbishop.

2555. Have you got any capital stock representing it, or is it a donation from the Archbishop?—No, it is a donation which comes to us from him from year to year—there is no stock representing any of this.

2556. The next exhibition is one of £50 from the Governors of Menth?—That is also sent yearly.

2557. **Professor DOUGHERTY.**—There is no guarantee as to its continuance?—There is no such guarantee in any of these cases.

2558. **Lord Justice FRYGROVER.**—Then there is Sterne's scholarship of £10?—Yes, that is for daughters of deacons of the Irish Church, and is paid by the trustees of Bishop Sterne's charity.

2559. And who has the administration of that?—The trustees pay it. It is paid through the Governors' Association.

2560. Is that also given to you only from year to year?—Yes.

2561. And you have no permanent right to it?—No.

2562. **Mr. F. G. Brooks.**—I may state for the information of the Commission that the Governors of Sterne's Charity allocate the fund every November, and they have given us this scholarship of £40 hitherto, but there is no guarantee that it will be continued.

2563. **Professor DOUGHERTY.**—Would the Governors of Sterne's Charity allow the winner of the scholarship to hold it in any other college?—They would have the power of doing so beyond all doubt, but they have hitherto declined to do so.

Mr. F. G. Brooks.—They have hitherto declined to do so, and I am a member of that committee.

2564. **Professor DOUGHERTY.**—I believe in the case of one of the Northern girls, it was impossible for her to come up to the Alexandra College, and in that way she lost the scholarship. Is not a case of that kind very great hardship?

Mr. F. G. Brooks.—That is a matter concerning the trustees.

The Dean of the Chapel Royal.—It is open to the Methodist College in North of Ireland to apply to the trustees of Sterne's Charity to compete for a scholarship available where they are. We always apply, and we get this scholarship, and it is open to anyone else in any part of Ireland to make the same application to them.

2565. **Lord Justice FRYGROVER.**—Then I see among some of the other exhibitions, one of the Lady Principal, one of Professor Culwick, and one of the Drawing Professor?—Yes.

2566. £20 in all?—Yes; they are paid from year to year.

2567. Similar contributions?—Yes.

2568. Then I see a list of Alexandra School exhibitions, £40?—Yes, but that is paid by the school to the college, for girls going up from the school to the college—there are two girls who obtain £10 each*.

2569. Is that sum of £40 always charged against the school?—Yes, it is granted by the Council itself.

2570. Then, there is £150—rent of the lady residence—how is that house used?—As a residence for the pupils, for herself and the students of the college.

2571. She personally undertakes all the risk of the maintenance of the house, and the boarding of the pupils?—She does.

2572. And pays a rent of £150?—Yes.

The Dean of the Chapel Royal.—And that includes taxes.

2573. **Lord Justice FRYGROVER.**—On the other side

I see an expenditure of £1,164 10s. 2d.—how to professors; £245 17s. 3d.—how to assistant professors on your staff?—There is a very large staff—twenty-three professors and sixteen assistant professors on the calendar. There is a list of the staff (*landed in*). The total is thirty-nine.

2574. Do you teach every branch of higher education?—Yes; algebra, trigonometry, geometry, arithmetic, drawing, English in all its branches, French, German, Greek, history, ancient and modern, Italian, Latin, music, natural science, mental and moral philosophy, theology, and natural philosophy.

2575. How do your pupils pay fees—only by the course or by the year?—Some pay by the course, they are called compounders, and some pay for separate subjects, as you may see at pages 2 and 3 of the college calendar (*landed in*).

2576. **Professor DOUGHERTY.**—Over what period does your course extend?—Four years.

2577. And it is possible at entrance to compound for the whole course?—No, to compound for the year, year by year.

2578. **Lord Justice FRYGROVER.**—What are the fees for the whole course?—You will find details as to that at pages 2 and 3 of the calendar. Students not taking instrumental music, for a single term are charged £5 10s., or for the session, £15. Students taking instrumental music pay a fee for the single term of £3 10s., or a fee for the three terms of £12.

2579. For that they may choose six classes meeting twice a week?—Yes.

2580. Then you have fees for one subject £4 10s. for the session, and up to £3 and £10 for the session for additional subjects?—Yes.

2581. Your salaries to officers amounted to £392 17s. 3d.—what staff of officers have you got?—We have got a Lady Principal, a Lady Assistant, an Inspector of classes, and a Bursar.

2582. Four altogether. How many of these are resident?—None of them are resident but the Lady Principal, and she lives in the adjoining house.

2583. I find the large item of £365 amount of insurance and taxes, and interest on debentures—

2584. What are these debentures?—These represent the payments on £8,000 debentures raised with a view to the purchase of the buildings in which the college is carried on.

2585. They are £100 debentures?—Yes. They bear interest at 5 per cent.

2586. And in what way are they decreasing—because they are now at £7,300?—Because £260 was paid off by the school since last year's balance sheet, and £300 previously. They were purchased by the school in last year's balance sheet, and then the college paid to the school interest at the rate of 4 per cent., and it was thought by the council not wise to continue paying the school in that way. They thought it better on their part to do away with this payment, by taking £260 from the school to pay off the five debentures. Since then the council thought it better to stop paying the 4 per cent. to the school.

2587. **Rev. Dr. Moulton.**—It was just as if you capitalized the rent, and paid off £260?—Yes.

2588. **Lord Justice FRYGROVER.**—You think that there are certain branches of education that cannot support themselves?—That became only so marked as it is at present since the establishment of those external classes for the Royal University, and it was with reference to that specially, and it is possible that those classes may become more paying bye-and-bye.

2589. Do you find that preparing pupils for the Royal University and the Intermediate Examinations costs you more than you make out of it?—I am quite sure it does.

2590. **Dr. TRAILL.**—But there you get greater educational results?—Yes.

The Dean of the Chapel Royal.—We have had seriously before us the wisdom of continuing the pre-

March 17, 1896.

Rev. Thomas
R. & Collins,
Solicitors.

* In the year referred to two additional exhibitions, which had not been taken out in their own year, were paid. Hence the amount £40.—T. R. & U.

March 17, 1890.
Rev. Thomas
M. R. Collins,
&c.

paration of pupils for these examinations, but we found there was a great difficulty, and we were afraid that if we stopped the classes many pupils would be sent elsewhere.

Witness.—In the case of the various special courses instruction becomes very expensive. For instance, in the case of one subject, that of science, our course will meet the requirements both of the Intermediate class and of the Royal University class. But in sciences you have to adopt quite distinct books, and in English literature there must be distinct books; and there must be, therefore, perfectly separate classes for those, and that is what makes it so expensive. In the case of the literature class—

1921. **Professor DOUGHERTY.**—You seem to have an enormous number of professors—twenty-three professors and sixteen assistant teachers—making a total staff of thirty-nine, which as compared with the number of pupils is certainly a very large teaching staff.

The Dean of the Chapel Royal.—I think I ought to explain that that does not represent a disproportionate expenditure, seeing that each professor is paid but for the lecture he gives.

1922. **Professor DOUGHERTY.**—Is not that rather a wasteful way of conducting an institution like this?

The Dean of the Chapel Royal.—I think if we paid salaries we should have to pay a much greater amount.

1923. **Professor DOUGHERTY.**—Still you could get one permanent professor to do the work of ten occasional lecturers.

The Dean of the Chapel Royal.—In Latin and in other Latin books the subjects are so widely apart as to require a different course and different teachers.

1924. **Professor DOUGHERTY.**—Take ancient history for example; I see you have no less than three teachers of ancient history, Mr. Mahaffy, Dr. Smith, and Mr. Collins.

The Dean of the Chapel Royal.—Mr. Mahaffy only examines occasionally. He retains the rank of a professor, but the intention is his being at the head of that department, so as to examine occasionally. He is not a fixed teacher, nor is Dr. Jordan.

Witness.—Page 21 of the Calendar will show you the number of hours given by each professor and lecturer.

1925. **Lord Justice FRYGIEVER.**—Then the twenty-three you have put down as professors, include a large proportion of gentlemen like Dr. Turlston, Mr. Mahaffy, and Dr. Jordan, who really give you only a very short amount of time for an occasional lecture or an superintendence?—Yes, in examining for certification.

The Dean of the Chapel Royal.—And whose receipts are represented by ten shillings in the year.

1926. **Professor DOUGHERTY.**—But they are at once useful and ornamental.

Witness.—Here in Dr. Mahaffy's name mentioned in the ledger (produced) of last year, and be examined for the certificate. Well his receipts for the year amount to £1.

The Dean of the Chapel Royal.—And Dr. Turlston got the same.

1927. **Rev. Dr. MOLLOY.**—You have nine professors who give one hour a week, sixteen who give two hours a week, and three who attend only occasionally.

1928. **Lord Justice FRYGIEVER.**—The largest amount given to any one gentleman is one of the professors of music who received £141, and another who received £133?—Those are the teachers of music.

1929. But the fees go down as low as a fee of £1?—Music is very expensive in the amount of fees paid for it, because the number of hours given is very large, and the receipts for music make it pay simply. It merely pays its way.

1930. **Professor DOUGHERTY.**—Has the council ever considered the point of consolidating this staff with a view to diminish the expenditure, because in the circumstances in which the college is placed that seems to me a very practical question.

The Dean of the Chapel Royal.—It would not lessen

the expenditure at all, because it is by the hour they are paid. Therefore the work would have to be done. For instance, take music, which has to be taught in the case of the pianoforte separately, and in that way the number of classes that we are obliged to have involves a number of teachers.

Witness.—Several of them are taught simultaneously the same subject.

The Dean of the Chapel Royal.—But some cannot be taught simultaneously. There is a personal distinction of the classes at different succeeding hours.

1931. **Rev. Dr. MOLLOY.**—I suppose you find it of advantage in dealing with the pupils to have an imposing list of professors.

The Dean of the Chapel Royal.—I don't think that is exactly the case.

1932. **Rev. Dr. MOLLOY.**—In what sense do these names represent professors of the College?—Well, as far as Dr. Turlston was concerned, for a long time, when he was less occupied in college, he was able to take a class regularly, and the council never failed to remove his name, and he now acts as an examiner, and exercises a general supervision in that way. Mr. Mahaffy and Dr. Jordan are similarly circumstanced, and these are the only three names to which my observations apply. All the rest are actual working professors, and their presence is necessary.

1933. **Lord Justice FRYGIEVER.**—You find it more convenient to have a greater number of people to give a small number of hours, than to pay salaries to people to attend regularly and constantly.

The Dean of the Chapel Royal.—Yes.

1934. **Lord Justice FRYGIEVER (to Witness).**—Now as regards the school. What is the staff of the school?—Seven staff teachers and twenty assistants.

1935. The seven staff teachers represent those who give their time, as in the case of the professional lecturers in the college?—They represent those who are paid permanent salaries by the year.

1936. And practically give their whole time to the work of the school?—Yes.

1937. The twenty additional teachers correspond to those in the college?—Yes.

1938. What are the subjects taught by the additional teachers?—Music, French, German, Drawing, and such subjects.

1939. Who are the holders of the debentures?—I could not from memory tell you. Mr. Lecky, he eleven; the Archbishop of Dublin, has four. I could give you all their names, because I brought the debenture book with me. (Hands in book).

1940. I suppose some of these debentures represent the purchase-money of the house?—They all represent the purchase-money of the house.

1941. The amount of the debentures outstanding now is £7,500, bearing interest at five per cent.—that is £365 a year?—Yes, you see from the beginning where the £8,000 was originally bearing interest from year to year, and the amount of interest paid—you see that by the debenture book.

1942. I see also a memorandum—"Interest reduced to four per cent."—Those are the five debentures handed over to the school.

1943. And what became of the other two debentures?—They were cancelled—they were paid off.

1944. Were they presented to you?—They were paid off directly out of the Jellicoe memorial subscription.

1945. Then you are subject substantially to the charge of £365 a year, besides the rental of the houses?—Yes.

1946. Have you any stock or money of any kind?—No stock whatever.

1947. Then the corpus of your property is entirely your interest in the houses, subject to the debenture debt of £7,500?

Mr. Brooks.—And the £700 debentures paid off.

1948. **Lord Justice FRYGIEVER.**—But that must

be included in the interest of the houses—All you have is the interest in the houses, subject to the £7,300?

Witness.—Yes.

3019. Lord Justice Fitzgerald.—Then you have got two grants of fifty guineas and £50 from two London companies—you got those last year?—Yes.

3020. How did you get those?—By sending a memorial to the different companies. There was a memorial sent by the council to the different companies, and those two responded by sending, one a cheque for fifty guineas and the other a cheque for £50.

3021. Was that the first time that you got those grants?—Yes.

3022. And are they provided for any definite time?—There is no promise regarding the grant of the Messers' Company. The Skinner's Company, have founded a scholarship for four years.

3023. Professor DOUGHERTY.—It is not a permanent scholarship?—No. Those are only for the one year.

3024. Lord Justice Fitzgerald.—And they were given to the general fund?—Yes, to the general fund.

3025. Now as to the proposed constitution of the governing body. You have given us rules for the government of the Alexandra School?—And I have corresponding rules for the college.

3026. Your governing body consists of a visitor, a council, and a committee of education, consisting of the professors?—The Archbishop of Dublin for the time being is your visitor?—Yes.

The Dean of the Chapel Royal.—If he accepts the office.

3027. Lord Justice Fitzgerald.—And your council consists of twenty-four members. How are the council appointed?—They are co-opted.

3028. And they co-opt themselves by co-opting?—Yes.

3029. Professor DOUGHERTY.—And you think that principle will continue to work satisfactorily?—Yes—it has always done so.

3030. Lord Justice Fitzgerald.—(Reads 18th rule.) Have not the council the power of regulating the course of studies?—The course of studies is regulated by the committee of education, and approved by the council.

The Dean of the Chapel Royal.—That was a question that was very carefully considered at the organization of the college, and Archbishop Trench was one of those who, from his experience of the college in London, thought as a matter of practical working as well as of courtesy to the committee of education, that the responsibility of conducting the education of the college should be left to them, and be in their charge to originate suggestions, all of which must be confirmed by the council. However, when the council meet—and it is supposed to meet only occasionally—it is supposed not to enter into details of these matters, but only to consider them and confirm them.

Witness.—On page 18 of the College Calendar, you will find the names of the committee of education.

3031. Dr. TRAILL.—Where is that provided for?—In No. 20 of the rules.

3032. Lord Justice Fitzgerald.—You have a provision in your Rule 13 that the committee of education shall consist of the professors of nine subjects?—Yes, and they have the power of electing others engaged in the college into their own body, with the approval of the visitor.

3033. Are the professors *ex officio* on the committee of education paid officers of the college?—I think there is one that has not received any payment for a few years, that is Dr. Jordan; but all the others have. Very nearly all are acting teachers at the present moment.

3034. Where do they meet and when?—They have no regular time of meeting. They generally meet about two or three times in the term—often if necessary.

3035. And they appoint professors?—Yes.

3036. But subject to confirmation by the council?—Yes.

3037. Dr. TRAILL.—How do you distinguish who is the professor of mathematics when you have three giving instruction in the same subject. Which does that term include, Dr. Tarkenton, Mr. Bernard, or Mr. Collins. Who is the chief professor?—Dr. Tarkenton. On page 18 of the college Calendar you will see the names of those actually appointed on the committee of education, and they include not only the name of Dr. Tarkenton, who was lecturer, but is not now—he is examiner—on page 18 of the Calendar.

3038. Lord Justice Fitzgerald.—Have you found this committee of education, consisting of the working teachers under the council co-opting themselves, to work satisfactorily?—Very much so.

3039. And you desire to continue it under the scheme you have lodged?—Yes, and then, you see, by one of the rules there can be a conference if necessary between the committee of education and the council.

The Dean of the Chapel Royal.—And there have been several.

3040. Lord Justice Fitzgerald.—I see under Rule 17 that professors being members of the committee shall hold office until resignation or removal by the council with the consent of the visitor, and by the next rule (18) professors not being members of the committee shall retain their professorships till resignation or removal by the committee with the consent of the council and visitor, so that the council in case of emergency can get rid of any objectionable person?—Yes, quite so.

The Dean of the Chapel Royal.—And more than that, the warden has a pre-emptory power of removal if he sees fit to exercise it.

3041. Lord Justice Fitzgerald.—Then I see that the warden is to preside over the meetings of the committee as its chairman, he being nominated by the visitor?—Yes.

3042. Rev. Dr. MOLLOY.—In Rule 16, appointing the professors, there is this provision: "that no such appointment shall be deemed valid until confirmed by the council." Then the real power of appointment is in the council; the committee of professors only nominate?

The Dean of the Chapel Royal.—Yes, they are supposed to act as a sub-committee.

3043. Dr. TRAILL.—The real power, I should say, lies in those who nominate; the council can only reject.

The Dean of the Chapel Royal.—The committee of education, who are more intimately connected with the teaching of the college, act as nominators.

3044. Rev. Dr. MOLLOY.—If the council do not confirm the nomination of the professors, the professors nominate again, and so on?

Witness.—Quite so.

3045. Dr. TRAILL.—What is your arrangement in case of a difference?—If the committee nominate, and the council do not confirm, and that they differ, the matter must then be referred to the Vice-Chancellor, and they can only assign a reason.

The Dean of the Chapel Royal.—But the question never arises.

3046. Lord Justice Fitzgerald.—Who fixes the remuneration of the professors?—The council. The council has all control of financial matters.

The Dean of the Chapel Royal.—It is fixed at 10s. *per annum*.

3047. Lord Justice Fitzgerald.—I do not see whether the professors who form the committee of education have any control over their own salaries or over the salaries of the other teachers?—None whatever.

The Dean of the Chapel Royal.—They are never paid if absent, not even if ill. They are simply paid by the attendance, and illness is not counted.

3048. Lord Justice Fitzgerald.—Inasmuch as your visitor is only the visitor in case he accepts the office, but the warden appears to be a necessary officer, and at present is only nominated by the visitor, would it not be well to provide that he should be nominated by the visitor, and filling nomination by him, by the council.

March 15, 1898.
Rev. Thomas
M. S. Collins,
B.A.

3049. Dr. TRAILL.—And that the new visitor should take the place of the Archbishop.

The Dean of the Chapel Royal.—They would find it absolutely necessary to make some arrangement of the kind.

3050. Dr. TRAILL.—The warden is not nominated for life, but only for one year.

The Dean of the Chapel Royal.—He is nominated as long as he remains in Dublin, I suppose. I suppose no one would act as warden who did not live in Dublin. The first warden was my predecessor—the Dean of the Chapel Royal—Dr. Graves, and I was appointed after him.

3051. Dr. TRAILL.—There is no provision as to the duration of the office of warden?

The Dean of the Chapel Royal.—No one would remain a member of the council at all who was not more or less interested in the question of female education.

3052. Dr. TRAILL.—Is there any provision for removing him?

The Dean of the Chapel Royal.—There is no provision.

Witness.—Under rule 19 he is nominated by the visitor.

3053. Dr. TRAILL.—There is no provision for the warden to be removed?—No.

The Dean of the Chapel Royal.—But he is a member of council and a member of the committee of education.

3054. Lord Justice FRANKLIN.—Who appoints the lady principal?—The council.

Miss Louisa Digges LeTrocbe, sworn.

3055. Lord Justice FRANKLIN.—You are the Lady Principal of the Alexandra College?—Yes.

3056. Can you tell us the number of your pupils?—At present we have 203 attending the College.

3057. And how many of these are compounders—taking the first year's course?—There are 101 compounders and 104 non-compounders.

3058. Rev. Dr. MOLLOY.—Are there not fifteen boarders besides?—They are included.

3059. Lord Justice FRANKLIN.—And of those how many are boarders?—There are eight in the residence house and four in another house, twelve altogether.

3060. Are there two residence houses?—Yes. The lady resident has a residence house, and there is a residence house provided as well at 18, Adelaide-road, close by.

3061. The first residence house is the one for which £150 a year is charged?—Yes.

3062. And you have the management of that?—No; Miss Galwey has that. I am the principal, and I live next door.

3063. And who is the lady who has the management of the other residence house?—Miss Johnson.

3064. And is that part of the same buildings?—No, it is at 18, Adelaide-road.

3065. And is that resorted to because the residence house is full?—There always has been a necessity to accommodate a few more outside the residence house, the second house is an independent speculation.

3070. Except the payment of the rent of £150 for the residence house proper, the boarding arrangements are not connected in any way with the college?—Not pecuniarily. I have the superintendence of the houses and see that the rooms are kept with a due regard to the requirements of sanitation, and I know all about the girls and see them often. But the pecuniary arrangements are quite distinct from those of the college.

3071. They are like the masters' houses in the public schools in England?—Yes.

3072. Of your 104 non-compounding pupils what are the subjects they take?—A great many take Eng-

3055. As regards the connection with the school, in the matter of the school committee, how are they constituted?—Originally the school committee was a sub-committee of the committee of education of the college, but now it is a committee independent of the committee of education, and consists of the very same persons who were the sub-committee when the committee of education of the college controlled the school, with the exception of the mistress, and the mistress is now an ex-officio member.

3056. I see that the committee of education was to nominate four of its members to the school committee. The members of the school committee was to consist of four nominees of the committee of education of the college?—Yes, it nominated to the school committee.

3057. The analogy of the former committee to the body that now exists is that they should be nominated by the council?—The reason of that is, that it was originally a sub-committee of the Committee of the Council on Education.

The Dean of the Chapel Royal.—The names are submitted to the council?—Yes, they have to be submitted to the council.

3058. Dr. TRAILL.—Who is your visitor at present?—Archbishop Trench.

The Dean of the Chapel Royal.—The Archbishop of Dublin, not wishing to have the name of Archbishop Trench who was so long connected with the college, severed from it, refused to become visitor on purpose to have Archbishop Trench continue in office.

Miss Louisa Digges LeTrocbe, sworn.

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The Dean of the Chapel Royal.—The names are submitted to the council?—Yes, they have to be submitted to the council.

3058. Dr. TRAILL.—Who is your visitor at present?—Archbishop Trench.

The Dean of the Chapel Royal.—The Archbishop of Dublin, not wishing to have the name of Archbishop Trench who was so long connected with the college, severed from it, refused to become visitor on purpose to have Archbishop Trench continue in office.

3059. As regards the connection with the school, in the matter of the school committee, how are they constituted?—Originally the school committee was a sub-committee of the committee of education of the college, but now it is a committee independent of the committee of education, and consists of the very same persons who were the sub-committee when the committee of education of the college controlled the school, with the exception of the mistress, and the mistress is now an ex-officio member.

3056. I see that the committee of education was to nominate four of its members to the school committee. The members of the school committee was to consist of four nominees of the committee of education of the college?—Yes, it nominated to the school committee.

3057. The analogy of the former committee to the body that now exists is that they should be nominated by the council?—The reason of that is, that it was originally a sub-committee of the Committee of the Council on Education.

The Dean of the Chapel Royal.—The names are submitted to the council?—Yes, they have to be submitted to the council.

and of their successes, and sent that return into us!—Yes.

3082. The figures given there are accurate?—Yes.
3083. Your pupils are prepared both for the Intermediate Education examinations, for the Royal University, and also for Trinity College?—Yes.

3084. Rev. Dr. MOLLOY.—Do you have examinations held in your college for the University of Dublin?—No; the University of Dublin examinations are held in Trinity College, and we send down our students for examination there.

3085. Professor DOUGHERTY.—Are those examinations like the Cambridge Local Examinations?—Yes, of just the same nature.

3086. Rev. Dr. MOLLOY.—Is the Trinity College examination of the same standard as that of the Intermediate Education Commissioners, or as high as the Royal University?—Not so high as the Royal University. There need to be three grades in Trinity College, a junior, a middle grade, or second year, and a senior.

3087. Is any of those courses higher than the Intermediate?—Yes, the senior course.

3088. And what does the junior course of the Dublin University correspond to?—It is about the same as the middle grade of the Intermediate.

3089. And what does the senior course of Trinity College correspond to?—Well, it is hard to compare the two courses. It requires more general cultivation than the higher Intermediate.

3090. You carry on a course of education at your college in which you provide for the Intermediate examinations, the Royal University examinations, and the examinations of the University of Dublin. Do you find any embarrassment to arise from the necessity of having to provide for three such different courses at the same time?—Yes, it is a very great matter of embarrassment, because the students must all use different books, and it necessitates a great number of classes.

3091. What advantage do you gain to balance that inconvenience?—Would it not be better, for example, to prepare your higher class students for one of the universities only, instead of preparing some for one and some for the other?—Well, that has been sometimes talked over, but students come to us wishing to enter for one or other of the universities, and it would seem dynamical if we said, “you must enter for this or that university, we cannot prepare you for the other.”

3092. But Trinity College does not give you degrees?—No, Trinity College does not give us degrees.

3093. Professor DOUGHERTY.—But I suppose you hope to overcome the objection of the Board of Trinity College to grant you degrees?—I hope very much to do so.

3094. Rev. Dr. MOLLOY.—What special advantage do you derive from the examination of the University of Dublin?—Well, it is a very good examination, a good test for our students, and an interesting course, and our students wish to go in for it.

3095. Lord Justice FRANKLIN.—And I believe the certificate of the University of Dublin is regarded as of great value by the people who obtain them?—Yes, that is a very important point.

3096. Professor DOUGHERTY.—And then again the scholarships in your college are awarded on the result of the Trinity College examination?—Yes, that is another element of advantage in the Trinity College examinations.

3097. Dr. TRAILL.—If the degrees of the Dublin University were open to women, would you be satisfied that they should be limited to examinations only without teaching?—I should be perfectly satisfied to have the teaching done in Alexandra College and the examinations in Trinity College, but we would require some pecuniary help. We want the teaching in Alexandra College approved by Trinity College.

3098. Lord Justice FRANKLIN.—Is it not a fact, that with the Alexandra College originated the move-

ment by which these University Examinations were founded?—Yes, that is quite correct.

3099. Rev. Dr. MOLLOY.—Having regard to the great pecuniary attractions of the Royal University, do you find a larger number preparing for the Royal University than for Trinity College?—Yes, we have more preparing for the Royal University than for Trinity College. We have fairly students preparing for the different examinations of the Royal University.

3100. And how many have you preparing for Trinity College?—We have twelve going in for the Trinity College examinations.

3101. It would appear as if the Trinity College examinations, unless they are made more attractive, are being beaten out of the field?—Very much so.

3102. Dr. TRAILL.—But if it were able to give you a degree, it would hold its own?—Yes, it would be just as attractive as the other university examinations.

3103. What is the expense of the degree in the Royal University?—£3 10s.

3104. And upon that the student can go through all her courses?—They have to pay for their teaching as well.

3105. Professor DOUGHERTY.—Would you be willing to pay a little more for the degree of the University of Dublin?—If it were possible, I think it would be done, but the money must be forthcoming.

3106. What is the fee for attending the more examinations of the University?—£1 5s.

3107. And for that you get no degree whatever—only a certificate?—Yes, you get a certificate and the chance of one of the Government Association scholarships. And there is also one Trinity College junior scholarship given—I think it is from the fees of the candidates for examination.

3108. Rev. Dr. MOLLOY.—I find in the return that your college has gained three scholarships in the Royal University—can you tell me whether that means three different scholarships, or one scholarship held for three years?—It means three different scholarships held for three successive years.

3109. Lord Justice FRANKLIN.—You get a very large proportion of exhibitions in the Intermediate examinations?—Yes.

3110. Could you kindly give us some details on that point?—Yes. In the last three years we have sent in fifty-nine students, and we got seventeen exhibitions, twenty-three book-prizes, and twenty-four medals—making in all sixty-four distinctions for fifty-nine pupils.

3111. And in those fifty-nine, do you include any that did not pass?—Yes, three did not pass.

3112. So that all those distinctions were obtained by fifty-six pupils out of fifty-nine?—Yes.

3113. And only three out of the fifty-nine failed?—Yes.

3114. Rev. Dr. MOLLOY.—Do you find that the amount of the results fees paid by the Intermediate Education Board is less than the amount of the fees allowed when the Act was first passed?—Yes, very much less.

3115. Have you suffered sensibly by the diminution of the results fees awarded by the Intermediate Education Board?—Yes. Our numbers for the examinations vary from year to year, and the results fees depend upon the number of students who pass, not on those who obtain distinctions.

3116. You get from £50 to £80 a year?—Yes, about that.

3117. Lord Justice FRANKLIN.—Are there any other figures as to the successes of your pupils, that you would like to give us?—Yes—in the case of the Royal University, we sent in forty-six students since 1881—for three years—and out of that number we got three scholarships, ten exhibitions, and in all eighty-three honours in the various examinations.

3118. Dr. MOLLOY.—What were the scholarships?

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—Modern literature—given on the matriculation examination.

3119. Lord Justice Fry-Gibson.—There being two given for all Ireland?—Yes; and they were for both sexes.

3120. Then those three scholarships represent the fact, that the ladies of the Alexandra College got what ought to be the full share of their sex, for the whole of Ireland for three years—assuming that the ladies and gentlemen were to compete together?—That is so.

3121. Rev. Dr. Mollay.—You get one-half of all the scholarships awarded in that subject for three years?—Yes, quite so.

3122. Lord Justice Fry-Gibson.—And open to both sexes?—Yes.

3123. Now, in reference to the exhibitions. What were they?—Exhibitions are given to pupils on the honour marks. If a pupil obtains a certain number of honour marks, she is given an exhibition.

3124. Is this also a competition in which the ladies and gentlemen compete together?—Yes, quite so—everything is at the Royal University.

3125. Rev. Dr. Mollay.—That is the only institution where you get perfectly fair play?—I hope it won't always be so.

3126. You said these exhibitions were given on the honour marks. What were the subjects?—Various subjects—Latin, French, Modern Languages.

3127. Modern languages and Latin are your strong points?—Yes, and experimental physics.

3128. Dr. Traill.—Who teaches that in your college?—Mr. Stewart.

3129. Lord Justice Fry-Gibson.—Of the forty-six pupils that you sent in for the Royal University examination, how many failed?—Two of them failed for their year. They were thrown back for a year, but none of them failed altogether. If they didn't get in one examination they get in the next.

3130. Your work is not confined to merely preparing brilliant pupils?—Quite so. I was very anxious indeed about the average. Now, in reference to the Trinity College examinations, we sent in thirty-nine students within the same period of three years, and we won thirteen scholarships.

3131. How many scholarships are given?—There are four Governors' Association scholarships. There used to be two in Trinity College, but there is one now; there is one Countess of Meath's scholarship, two Stewarts' scholarships, and two Association scholarships. There was one given by the Provost, which has been dropped, and the Jellicoe memorial has been put instead.

3132. Then the total number of scholarships open to persons entering would appear to be something about twenty?—Yes, about that.

3133. And of that twenty your college got thirteen?—Yes.

3134. Is that the only point you have to give us evidence upon in reference to this subject?—And we get nine prizes. The prizes have only been given lately, since Mr. Barlow came into office.

3135. What prizes are given?—Book prizes—some £4, and some £3, of which we get nine.

3136. How many passes?—Twenty-one first class certificates, ten second class certificates, and three third class certificates.

3137. Then you get thirty-four certificates for thirty-nine pupils?—Yes.

3138. Can you give us the grades they went up to?—I am afraid I cannot at this moment. In the junior course there were eleven in one year, and in the senior eight; then besides that we had the examinations of the Science and Art Department, and in which our students did very well.

3139. Did they hold those examinations for you in the Alexandra College, and also separately in the school?—Yes, under the direction of a local committee, and the school children came to the college.

3140. And did you get up a local committee in order to have those examinations?—Yes.

3141. How are the examinations held—by examiners sent over to Dublin, or by the aid of examination papers?—By the aid of papers, which are mailed, and only opened by the secretary of the committee in the room when the examination takes place; moreover, an Engineer officer usually attends on behalf of the Science and Art Department to see that the examination is conducted regularly, and in accordance with the regulations.

3142. What are the subjects of the Science and Art Department examinations?—Fresh and model drawing, geometry, and perspective.

3143. There is also a senior grade examination?—Yes, but we didn't go in for that.

3144. Rev. Dr. Mollay.—I wish to call your attention to the paragraph in the memorandum lodged, which begins—"The council earnestly invite the attention of the Commissioners to the fact that," &c.

Mr. Brooks.—If the commission desire to go into the general question, then I should wish to be heard.

The Dean of the Chapel Royal.—It was intended to suggest to you this very inquiry.

Witness.—Might I tell you something about our literary society?

3145. Lord Justice Fry-Gibson.—Certainly?—It is for past students who have gone through the college, and for present students, all of whom must be over eighteen years of age. We have a literary society in which they may hold classes for the study of any subject. We have Shakespeare, choral, art, history, and music branches of the society, which number about 250 members. A great deal of work is being done indirectly through the society in the college, by its classes.

3146. What is the nature of the work they do?—They hold meetings of the branches of the society. We give them a room with a fire, and they hold classes for the study of various subjects, have access to books in our library, and various other educational advantages.

3147. Professor Douglass.—Have they debates?—They may if they like. Lady Ferguson takes charge of the Shakespeare class, and they hold meetings for the study of Shakespeare, and in the same way they hold choral meetings.

3148. Rev. Dr. Mollay.—The society is not supposed to receive pecuniary help from the college?—No. Now and then we have courses in cookery.

3149. By what teachers are they given?—They are generally by some person from South Kensington, generally by some one who comes from the Science and Art Department.

3150. Professor Douglass.—Upon what examination is the Eldmann's scholarship awarded?—Upon a special examination. There are two scholarships, one is held at entrance. That is held in October. There is also another, a senior examination, which has not yet come on. That does not come off until June.

3151. Does the company impose any restriction in reference to the scholarships?—No. They are tenable for two years, and they have been promised for four years.

3152. And is the competition open to girls from all parts of Ireland?—Yes, and we are very anxious that it should be so, in fact, there were a great many entered for the competition; the majority of them came from the country.

3153. Are you aware whether any of the competitors came from the neighbourhood of the Eldmann's estates?—Yes, three or four came from Derry, and one of those girls—Miss Russell—almost succeeded.

3154. Lord Justice Fry-Gibson.—Do I understand you to say that the Eldmann's Company have endowed two scholarships each year?—They gave us £50, which was divided into two scholarships of £25 each year, tenable for two years.

3155. The examination for which is held in your college?—Yes.

3156. And the value of the scholarship is also

gether given in the college?—It is taken out in education.

3157. Then the money is altogether applied to the college, and confers the power of taking education in the Alexandra College for two years?—Yes, a free scholarship.

3158. *Professor Deane.*—How many competed at the examination?—Nine.

3159. And of those nine four came from the North?—I cannot be absolutely certain if three or four out of the nine came from the North.

3160. Who got it?—Miss Mooney.

3161. *Rev. Dr. Molloy.*—[To Miss Le Touche], I see that there has been a falling off in your numbers during the last four years, or perhaps more particularly during the last three years—can you account for that in any way?—Well, probably, it is owing to the state of the country. In 1880 our numbers were almost the same as they are now. In 1881 we got a sudden influx in numbers which lasted for two years afterwards, and then we have suddenly gone back to what we were before. The influx is over.

3162. *Lord Justice Fitzgerald.*—1881-2 was the most profitable year you ever had?—Yes.

3163. *Rev. Dr. Molloy* (to witness).—And during that period of the influx you worked the college at a profit?—Yes.

3164. Therefore if you had a return to your former numbers you would not be at so great a loss?—The great difficulty that has arisen lately is in reference to the Royal University, and if we would work the Royal University classes we must be at a loss.

3165. On account of the greater expense necessary for teaching the subjects required there?—Both on account of the subjects being higher, and the fact that we have to keep up classes for a few.

3166. *Dr. Traill.*—When you refer to the state of the country, do you allude to the falling off in pupils from the country or from the town?—From the country.

3167. The great bulk of your pupils is from the town—do you find them much affected. In the last few years was that falling off in country or town pupils?—I should say principally from the country. But there was the same falling off from the town.

3168. What was the amount of the falling off altogether?—We had 257 at one time, and now there are only 205.

The Dean of the Chapel Royal.—The fact is that higher education is a luxury, while the education of the schools is a necessity, and the luxurious part of education has suffered in the general depression.

Witness.—People come to me to say their money is running low, and that they must educate the boys, that they have no money for the girls, whom they must take away.

3169. *Lord Justice Fitzgerald.*—Your fees are all paid in advance?—Yes.

3170. Have you any reduced fees beyond the free scholarships?—

The Dean of the Chapel Royal.—Yes, there are a few privileges. The professors have the privilege of getting one child, a daughter, taught free. That is a way of supplementing the very small fees that they receive.

3171. *Lord Justice Fitzgerald.*—Now, assuming that any endowment or share of an endowment be available for the Alexandra College in particular, or for women's education in general—how would you think it should be applied?—Personally, what I should think is that the council should have the power to apply it towards any point at which it is wanted; for instance towards the keeping up of classes in subjects which constitute the advanced classes of the College course, and which do not pay.

3172. Then your idea of the disposition of any endowment, supposing such to be available, would be that the distribution of any additional money that the Alexandra College might become entitled to should be left entirely in the hands of the governing body of the college?—Yes, I think that would be much the most useful, because there are so many little points which one sees in the practical working where a small sum of money would enable us to tide over the difficulty and to do our work better.

3173. *Rev. Dr. Molloy.*—If there was a fund available to be applied generally to the higher education of women in Ireland and you were to get a share of that fund, should you prefer that a certain portion should be allotted to you, once for all, or should you prefer your share to be estimated from year to year according to the work done in the College. Perhaps you have not thought of that, and I do not want to press you for an answer?—

The Dean of the Chapel Royal.—The last might be more profitable, but the other would be more certain.

Witness.—I think the council would be in favour of the thing being treated as the Hospital Sunday grants—in relation to the work done and the results shown.

3174. *Lord Justice Fitzgerald.*—If you got your money in proportion to the work done—can you say on that principle the mode in which it should be applied should be left to the governing body?—Yes.

3175. What other institutions are there that you know of working on the same lines as the Alexandra College for the education of girls?—Well, I should mention Mrs. Byers' of Belfast, Miss McKillop's of Derry. There is another school at Cork—at Rochelle—which sends up candidates to Trinity College, also Miss Holman's school at Derry. Of course that is for intermediate work. Of course they are merely private schools—no one of these undertakes regular university work except ourselves, because in Belfast and Cork they have the Queen's College.

3176. Is the Rochelle school a private institution in any sense in which the Alexandra College is not?—I don't know that any of them do the same university work as we do in Alexandra College.

Miss Isabella Mahony, sworn.

Miss Isabella Mahony.

3177. *Lord Justice Fitzgerald.*—What is your official connection with the Alexandra School?—I am head-mistress since January, 1881.

3178. Are you resident in the school?—No.

3179. Is the school an entirely different institution from the college?—Entirely.

3180. Are there any boarders?—There is a private house in Wellington-road, a private speculation. Only day pupils are accommodated on the college premises.

3181. How many in the house you speak of?—Four, and three in the College residence.

3182. And there are seven pupils who are resident in institutions connected with the college?—Yes, quite so.

3183. How many have you altogether?—162 on the registry at present.

3184. Have you the same system of compounding for all courses, or of only taking special subjects, as prevails in the Alexandra College?—We have two special courses, one for senior and one for junior school, the latter of which are obligatory, and the placing in those courses depends upon the pupil's proficiency at the time of entry.

3185. How many are in the junior division?—Seventy-three.

3186. And how many in the senior?—Eighty-nine.

3187. Have your numbers during the last three or

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 Miss Isabelle
 Maloney.

four years kept up to—When I entered the school, as head mistress in 1881, there were fifty-seven on the roll, and the number at the end of that session was the ninety-five; the next session they were 106, the next session 137, the next session 140, the next session 144, and now they are, as I have already said, 162.

3188. And 162 is the maximum number, that which you have received in the present year?—Yes.

3189. What are the fees?—For the junior school, £8, and £1 additional for stationary; and for the senior £11 in all. That does not include extra fees for optional subjects. The average fees in both senior and junior schools are £12 and £15 respectively.

3190. But the ordinary fees are £11 and £8?—Yes, without optional.

3191. Does the £8 and the £11 represent the fees for compulsory subjects?—Yes.

3192. And what are the extra subjects?—French, German, drawing and music.

3193. Is there no French and German in the junior school?—French is inclusive in the junior school, and in the case of the senior school Latin is inclusive, while it is optional in the junior school.

3194. In order to get an education which will include French, music and drawing, it is necessary to pay more than £8. I suppose it would be necessary to pay the average?—It would be necessary to pay more than the average sum with music. The amount with music would be £15.

3195. Both vocal and instrumental?—Instrumental in the senior and junior, and vocal in the junior only.

3196. You send up pupils to the Intermediate examinations?—Yes.

3197. But not to the Royal University direct?—No.

3198. What results have you attained in the Intermediate?—Our total of exhibitions in the years in which I have had to do with the school has been eighteen.

3199. In how many years?—Fifteen exhibitions in five years.

3200. Were those all in the junior grade?—Yes, in the junior grade, and all under our limit of age.

3201. Rev. Dr. MONROY.—You don't send up any pupils to the middle and senior grades of the Intermediate examinations, and the college does not send up any pupils to the junior grade?—Quite so.

3202. Lord Justice FRERGINSON.—They are considered eligible for the school only under a certain age?—They must be under sixteen receiving benefit from us. We try to induce them to go to the college when they go out from us, but whether they go to the college or not, we see no more of them after they are sixteen.

3203. You don't keep your children after sixteen?—No, except in the case of exceedingly backward children—where the parents come to us and endeavour to get for them permission to remain.

3204. How many of those cases have you now?—At the present moment we have two.

3205. You do not find it of advantage to encourage the keeping of such backward pupils?—No.

3206. Professor DOUGHERTY.—Do you think there is any practical inconvencience caused by discharging pupils from the school when they pass the junior grade. Does it not act so as to prevent them going on to the senior and middle grade examinations?—I can hardly say. I think it does not in most cases. In some cases it does. In some cases they go out and do not intend to continue their education further.

3207. Well, what is the object of strictly adhering to the limit of age?—In order that the two institutions should not be doing similar work at the same time.

3208. Would that not be provided for if you limited the range of studies in the school without limiting the age of the pupils. For instance, if you only taught up to the standard of the junior grade and did not go beyond that?—Yes, it would be, of course,

a means of doing that, but it would be detrimental to keep fairly smart girls doing only junior grade work.

3209. Lord Justice FRERGINSON.—Do you think it objectionable to have dull girls competing with clever girls?—I think that that would be a disadvantage. It has a disturbing effect, and an especially undesirable effect on young girls who find themselves so much better than others who are older.

3210. Might not the line be drawn at the middle grade rather than at the junior?—A difficulty would exist there also, and possibly an increased difficulty, because parents who might think it undesirable to break off their children's education at sixteen might think it right to do so at seventeen.

3211. Professor DOUGHERTY.—But you might induce those parents to continue their children and they had passed the middle grade?—It might be so.

3212. Lord Justice FRERGINSON.—Of the girls who distinguished themselves at the Royal University Intermediate examinations from the Alexandra College was there any large proportion who had been pupils of the school?—I have prepared figures showing the percentages, because I thought you would wish to have information on that point. Now the percentages in the Intermediate examinations was as follows:—Gold medals in the Intermediate examinations, taking all grades together, sixty-four per cent. were taken by pupils of the Alexandra Schools. Of the silver medals fifty-eight per cent., and of the exhibition fifty per cent. And in the first set of women graduates one Alexandra School pupil took the degree.

3213. And of the three scholarships of the Royal University, were any of the winners from your school?—No, the school was hardly long enough established. I would also like to mention that of the first undergraduates of the Royal University, five were teachers of the Alexandra school, who took advantage of its first opening of the Royal University to get a degree. Of the entire staff of teachers, all but one are at some stage or another in their University course.

3214. What educational examination have you for those whom you are actually engaged in teaching?—We have term examinations conducted by ourselves, and then there is a final or seasonal examination conducted by the professors of Alexandra College, quite independent of the teachers.

3215. Have you any exhibitions in the school?—Yes, there are three exhibitions of £10 each.

3216. How do you get that?—They are given out of the profits of the school; there is also a price of £5, which I give myself, called the Jelliffe Memorial Latin prize to encourage the study of Latin.

3217. But you have no pecuniary assistance to take in free pupils?—None.

3218. Assuming any money to be available for the advantage of the school, how do you conceive it could be most advantageously applied?—In buildings. I have a very strong feeling that an endowment in any other form than buildings is exceedingly objectionable.

3219. Professor DOUGHERTY.—Out of the profits of the school, could not the council do a great deal?—Yes, if the profits were available, and freed from its use of the other institution they could. The expenditure for rent has been one which is very pressing to my mind, because we have a very large rent to pay in relation to our premises in Stephen's-green.

3220. I believe you pay £200 a year for those under a lease?—Yes, and the lease is terminable in 1898.

3221. Lord Justice FRERGINSON.—As a matter of profit in connection with the management of the college and the school, you would consider it better if the college paid its own expenditure, and left you to pay yours, and to exist independently?—Yes, and I shall be quite content if the endowment is applied wholly to the college, and the school profits left for its own needs.

3222. Are your school premises at present adequate?—No, very inadequate. Our largest room is twenty-

three feet by nineteen by twelve feet high, and in that room thirty-one girls have to be taught.

The Dean of the Chapel Royal.—I may inform the Commission that there are penitents available in the immediate proximity of the Alexandra School which the Council would be most anxious to obtain by purchase if we had the money to do it.

3223. Professor DOUGHERTY.—How much would you require for that, Mr. Dean?

The Dean of the Chapel Royal.—£5,000 or £6,000 to buy the houses out and out. I should apologise for the absence of the Sub-Warden, Dr. Goswami, who is unable to be present, but I would ask you to put some questions to Mr. Brooke, who is a member of the Council, and a very constant attendant at the meetings of the Council.

3224. Lord Justice FRANKLIN.—(To Witness).—Is there any other information you wish to give us, Miss Melvay?—I think not, except as to the general question of University education. I think the expense of the degree for women is very great. The fees are normally £3 10s., but the expenses which are entailed upon students come altogether to about £40 for the necessary coaching, &c. It was found sufficient by those ladies who took out the first degree to get grounding for three months in the year, and for that they paid four guineas a week.

3225. Dr. TRAILL.—But when we compare fees in the Royal University and in Trinity College it should be remembered that coaching is required in both. Our difficulty there has always been to divide the qualification by examination from the qualification by lectures?—What I wanted to bring out, Dr. Traill, was that what is given by Trinity College for £53 could be got in the Royal University for £40, because if an ordinary student attends the term lectures, they ought to be sufficient to insure for him a pass degree.

3226. When you say that the fees are £40 for the Royal University, and £53 for Trinity College, you must remember that the fees in the Royal University

are £3 10s., not £40, and that the Royal does not provide teaching whereas Trinity College does—if a man wanted to get a pass in the Royal, he would have to pay for his teaching as well.

3227. Professor DOUGHERTY.—Does not the necessity for providing University teaching in Alexandra College arise from the inactivity of the Board of Trinity College?—Yes.

3228. And if the Board of Trinity College followed the example of the Queen's College, Belfast, the necessity for the endowment of a college for the higher education of women would not exist in Dublin?—No, except to supplement what is already provided. At the same time, I think, those ladies who had to get teaching for the Royal University would not have had any necessity to get it for a pass degree in Trinity College.

3229. Lord Justice FRANKLIN.—If they had attended lectures the fees would have been twelve guineas a year?—It is £83 as against £40.

3230. And the fees in Trinity College are supposed to represent lectures which are supposed to be as good as grinding, but which as a matter of fact are not usually found so?—Yes.

3231. Professor DOUGHERTY.—You would think it fair to devote a portion of the revenues of Trinity College to the teaching of women?—Yes.

Miss Le Yeasche.—I would like to explain, in reference to what was asked me as to a comparison between our college and other educational establishments for women—as to whether there was any other institution similar to ours. What I understood Lord Justice FRANKLIN to mean, when he asked me the question, was as to schools being worked in departments. I don't think there is any school on a level with us, where the gradual teaching of different advanced subjects is carried on to the same degree.

3232. Professor DOUGHERTY.—You mean that there is no school where there is provision for continuity?—Yes.

W. G. Brooke, Esq., M.A., sworn.

W. G. Brooke,
Esq., M.A.

3233. Lord Justice FRANKLIN.—You are a Member of the Council of the Alexandra College?—I am.

3234. And you have also taken an interest in the question of the higher education of women?—Yes, I have.

3235. And I think you are Secretary of the Governors' Association?—I was, but am not now.

3236. You are anxious to give us some information in reference to the application of the Alexandra College for an endowment?—Yes, my lord. I wish to speak on the general question of the claims of women in Ireland to a share in all endowments. The evidence as regards the Alexandra College has been so fully given, and in my humble judgment is so satisfactory, that I do not mean to apply myself to that institution, but with the leave of the Commission, I wish to state my views generally, upon the claims of women to a share in all endowments which are available for higher and intermediate education. It appears to me that the way the case stands at present is, that so far as primary education is concerned, the claims of men and women are equally admitted, and that so far as university education is concerned, the claims of men and women are admitted on an equal footing in the Royal University. In Trinity College, however, there is a very deplorable neglect of provision which I wish many others hope to see rectified in due time—perhaps the sooner the better. As regards intermediate education, the endowments are limited by a very grievous inequality. It appears that there are no endowments whatever in Ireland for the purposes of the intermediate education of women.

3237. No endowments of a general character, but there are a considerable number of particular endowments?—Yes, but I will confine myself now with regard to those which have been already before the Commission, and in which I think women are entitled to some share—namely the endowments arising from the Erasmus Smith's Board, and the endowments of the Incorporated Society.

3238. You refer to the schools of the Incorporated Society at Coleridge and Roscommon?—The Incorporated Society have no doubt got a very fine institution for the intermediate education of boys at Bantley, but the Coleridge institution is of a different class—it is a place devoted to the carrying on of secondary education. Now the education given at Bantley is not of that character which can be fairly classed as secondary education. But before I go into that, I would just wish to mention one or two facts arising on figures. In the Census of 1881, the number of women engaged in professional and commercial callings amounted in Ireland to 85,560, in professional and commercial callings as distinct from callings classed as industrial and also from callings classed as agricultural—there are separate headings for those in the Census returns. Well, in professional and commercial callings, for which I apprehend education of a secondary character would be necessary, there are as I have said 85,560 women engaged. The number of men also engaged in professional and commercial callings is 207,900—so that the number of women would seem to be about one-third that of men. In estimating the number as one-third there is another source of statistics with reference to this question by which the figures can

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also be ascertained, one which is quite common in educational returns in England. It was estimated there that ten women in every 1,000 of the population required secondary education to fit them for their callings in life. The calculation made on that basis would give 50,000 women in Ireland requiring to be educated for their professional and commercial callings, while the actual number engaged in those callings is as I have already pointed out 63,500.

3239. Lord Justice Fitzgerald.—When you speak of ten women in every thousand you must mean that only ten in every thousand require secondary education for the purpose of earning their livelihood. It must leave out those who want education for other objects.—Yes, it does.

3240. Dr. Traill.—That 1,000 is for the whole population, men and women.—Yes, the 1,000 is for the whole population. Now, to carry the figures a little further, I will take what I believe has been already taken by witnesses before the Commission, as a test. I will take the Intermediate examinations held in Ireland, in order to form some conclusion as to the number of women who are anxious to obtain for themselves for whatever purpose it may be the benefit of secondary education. The returns, I believe, are given in Mr. Ellis's book, but not having had the book by me, I copied them from the *Freeman's Journal*. Within the last week there was a valuable letter written by some London correspondent of the *Freeman's Journal*, who took the trouble to go through the last Intermediate examination returns, and also to make certain calculations based upon them, which I mean to use here for the purpose of the claim which I make on the part of women's education. Now, in the Intermediate examinations, the first of which seems to have been held in 1879—in those examinations calculating them down to 1885—a period of seven years—the number of girls presenting themselves for examination was 3,723. That is the tot of the number for those various years. I have the numbers here in detail before me. The total of boys and girls together in those seven years was 39,938, and it can easily be ascertained that the proportion there of girls to the gross total is about 9 per cent. or very nearly one-fourth. If we then go to the numbers who passed the examination—the figures I have given are of those presenting themselves for examination, which shows, of course, the number anxious to improve themselves, and to get the benefits of whatever education is going in the country—the number who passed in the same term of girls was 3,173—and the total boys and girls who passed for the same period was 25,870—so that the number of girls is exactly almost to a figure one-fourth—the number of girls who passed is one-fourth of the whole. If we then look at the same very interesting figures compiled by the correspondent of the *Freeman's Journal*, who states the proportion per cent. of those who passed—the balance is struck upon the number who presented themselves for examination—and there we find that the girls beat the boys to nothing in regard to merit. In 1879, the percentage of boys who passed was 57, while of girls it was 65. In 1880, the percentage of boys passing was 70, of girls, 76; in 1881, the percentage of boys passing was 66, of girls, 68; in 1882, the percentage of boys passing was 57, and of girls, 69; in 1883, the percentage of boys passing was 56, of girls, 79—an enormous difference. In 1884, of boys who passed the percentage was 58, of girls, 73; and in 1885, the percentage of boys passing was 59, and of girls, 69. I have left out the decimals, and taking the average of the whole, the percentage of boys passing was 63 per cent. for the seven years, and of girls, 71.7 per cent.—so that you will perceive that the girls were 10 per cent. better than the men were upon the whole. I may say that these figures show that the valuable advantages given to the girls by the Intermediate Education Act, have been largely availed

of, and in a way highly creditable to the female population of the country. There is another fact which I think, ought to be weighed by the Commission in acting under the 14th section of their Act, and in apportioning the endowments between institutions for the education of boys and those for the education of girls. That is the very large excess in the female population of Ireland, and that may be also a ground for assisting the education of women. The figures in 1881 showing the excess of female population were 107,734 over the males. Well, if the great need for raising women's education was made out by the figures with which I have been presenting the Commission, I apprehend that under the 14th section of their Act, the Commissioners will feel no difficulty whatever in saying that portion of the funds at their command must necessarily be placed to the credit of the maintenance of the education of girls in the country, and the because there are very heavy arrears due on this head. In 1872, when I read a paper on this subject before the Statistical Society in Dublin, there was absolutely no endowment for the secondary education of women at all. But since then private efforts have been made, some of which have been detailed here to-day, and the thing is remedied to a very slight extent. I wish to mention that I have received a letter from Sir George Young, who is now engaged in administering the Act of 1869, an analogous Act to the Act under which the present Commission is constituted, and there are returns which I have unfortunately been unable to get, called the *Fortescue* returns, and if the Commission wanted information as regards what has been done in England under an analogous section of the Act, they are contained in the *Fortescue* returns, the reference for which is—"House of Lords, No. 39," and the date, 14th March, 1884. But in England, under the administration there I need scarcely remind the Commission that very large schemes have been made from funds which have been too long—up to 1869, administered for the benefit of boys—for the purpose of assisting the education of girls. Sir George Young says—he now is a *Charity Commissioner*, and the Commission is aware that the functions of the Endowed Schools Commission of England are amalgamated with the work of the *Charitable Commissioners in England*—he is a Commissioner administering and financing schemes, and getting schemes passed in England of an analogous kind to those upon which the Commission is now employed—he says, "by the last *Fortescue* return, dated 1883-4, it appears that up to 1880, schemes had been made for girls' schools—first grade 8, second grade 12, third grade 25. Perhaps two-thirds of them had been carved out of endowments hitherto applied only to boys' education. In thirteen cases besides, scholarships had been founded for girls and in several others a fund was put aside to accumulate, in order to found a girls' school by-and-by. The most remarkable instances in schemes now in course of establishment, or recently established, are a 63 lws.—Christ's Hospital, annual endowment, 250,000—more than one-third will go to girls." They are going to allocate 220,000 annually of the funds of Christ's Hospital endowment of 250,000 for the purpose of the education of girls. *Leeds Grammar School*—annual endowment, 23,400—they are going to allocate of that, 2500 annually for girls. The *Hulse Trust*, a Manchester endowment, has an annual endowment of 25,000, and out of this 21,000 a year is to be set apart for the Manchester High School for Girls. A boys' school at *Blanford* in Dorsetshire, which has an annual endowment of 2340, is to be turned into a girls' school. The *Sylvester Pettis* Charity has an annual endowment of 2000, and 2300 of it is to be devoted to the education of girls, under the direction of the Court of Chancery. Sir George Young continues—"Generally speaking, we never make a scheme for a school that can afford to without doing something for girls. Do

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very often the money has to be accumulated, and the application to be postponed." I mention this merely to show that in setting the Commission to apply some portion of the funds at their disposal for the education of women, we are asking you to follow the lines which are being followed now by the analogous Board in England. The claim I should be disposed very respectfully to make would be that girls are now entitled to share for secondary education in the Erasmus Smith's fund, and in the funds of the Incorporated Society, and in the Royal School Fund; and in these three, which are the chief sources of endowment at the disposal of the Commission, I claim on the figures I have shown—one fourth to be set aside for the education of girls, before any division or application is made at all.

3241. Has your attention been called to the history of the Intermediate Education Act, as regards girls' education?—I have given the figures.

3242. I mean the Act itself.—I suppose you are aware that the Act as originally brought in provided for boys only?—Yes.

3243. And that it was by amendment in the course of the passage of the bill through Parliament that it was extended to girls?—Yes.

3244. And that on that occasion something like a promise appears by the records of Parliament as having been made—that in letting in girls upon the fund, the fund should receive some increase to meet the double charge?—

The Dean of the Chapel Royal.—We have urged that repeatedly.

Witness.—I would be very glad that the fund was increased by what I claim now. The Intermediate is now administered quite irrespective of sex, and girls are getting their share. But what I am speaking of is quite irrespective of that. They are getting their share in the Royal University and in primary education throughout the country, but they are excluded from any share in the other endowments for secondary education, one of which is the Erasmus Smith's fund, one of which is the Incorporated Society, and one of which is the Royal School. Now, the Incorporated Society is a fund which should be administered totally irrespective of sex, and the Incorporated Society have never instituted a secondary school for girls. In dealing now, with the Incorporated Society I do not wish to detain the Commission more than a few minutes. I shall merely say that the Incorporated Society in starting a school for the secondary instruction of boys at Santry have done a very good thing, but they have not applied any portion of their funds to the secondary instruction of girls.

3245. Lord Justice FRYGIMON.—The Cullinagh Institution and Rosemount school are both decidedly above the rank of primary schools?—I understand that the Cullinagh girls went out at schoolmistresses to primary schools. Then the Erasmus Smith's Board have started a very large school in Harcourt-street, for the Intermediate and secondary instruction of boys—but for girls in the same rank of life nothing had been done. If you go to the Royal schools the case is exactly similar. In point of fact until this Commission, girls had no chance whatever of getting their fair share of the endowment.

The Dean of the Chapel Royal.—The Erasmus Smith's Board consider the principle of applying money to girls in primary schools, but not in higher schools.

Witness.—I have nothing more to say, except that I am sure that the Commission upon the evidence given here to-day with regard to the work of the Alexandra School and College will see that the work which has been done for the higher education of girls is a most valuable work. The prices and distinctions which have been earned show that that work is a work which is absolutely necessary, and also proves how well the work is being conducted, and how deserving it is of assistance from those who have it in their

power, now, for the first time in the history of our country—to apportion out and to divide these endowments amongst those of our countrymen and countrywomen who are fairly and justly entitled to receive them.

3246. Lord Justice FRYGIMON.—Supposing that so it should turn out—what is your idea of the mode in which the fund would be best applied?—I will mention what I think about that. If the Commission were to administer the endowments according to the system of results fees, of course the thing settles itself, because the girls and boys are competing together, and those who are best instructed will take the most prices. That is perfectly plain.

3247. Professor DODDINGTON.—Would you think that a satisfactory system?—I am not going to give any opinion upon that.

3248. But it would be very desirable if we could have your opinion on that point?—Well, my opinion is totally against it, because I am very much opposed to any system of education which consists simply in examination. I think it is a mischievous system. I think that the present system administered by the Royal University is one that is doing a great deal of harm, because it is a system of examination merely—and I think all educationalists feel the same—those who take an interest in the subject. On the other hand, the way in which the Commissioners could administer the endowments would be by adopting the view presented by the Church Committee.—I mean the principle of having sub-denominational committees. If you had three committees of denominations, of course the divisions would be then made according to each denomination. Each denomination would get its share, and rely upon the sub-denominational committee to administer the funds amongst the boys and girls of that denomination. But then, on the other hand, as a third alternative—if the Commissioners themselves are going to provide separately for each separate institution that comes before them, then of course we rely upon the Commissioners to make such a distribution of their funds amongst the various institutions having regard to the claims of girls as may seem to them right. The second alternative is the one that I am most in favour of. It is embodied in the statement or memorandum which has been sent forward by the sub-committee of the standing committee of the general synod.

3249. How many denominations would you provide for?—I should be in favour of providing for and classifying them all under three heads.

3250. Would you be in favour of giving that denominational committee the right of determining what portion of the endowment, if any, should be given to girls?—Yes.

3251. Then the denominational committee might not be as enlightened as you or I, and might not be disposed—?—I have great confidence that they will be just as enlightened as either you or I.

3252. Lord Justice FRYGIMON.—Have you considered the question of mixed schools for boys and girls?—No, I don't think I have.

3253. Do you know the instances that there are in Ireland of these schools?—I know that there are a great number in America. In collegiate life there it is quite common.

The Dean of the Chapel Royal.—With reference to the marriage portions, the Society for the Education, Training, and Employment of Women—whom I represent, are anxious to come here in support of a memorial which has been addressed from them, and by the council, and which was adopted by a meeting held the other day. We should not prefer a claim as against these literary endowments, but we might be able to substantiate a claim for the allocation, perhaps of educational endowments which were intended for humbler classes of society and for industrial purposes, and we should like to know if we could obtain a hearing on a future day.

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3254. Dr. TRAILL.—Have you considered in your own mind a way of getting over the difficulty of opening to women the University degree in Trinity College?—As regards the difficulty, I have been able to see them.

3255. The case of Trinity College is not so easy as the Royal, because the Royal being simply an examining body the matter is quite simple. If we were an entirely examining body, we could do the same. But the difficulties in the case of Trinity arise from two circumstances—one is, that we do not know whether the education is to include teaching—whether we are supposed to teach if they come in, as well as to examine. If we were to examine only the question of the fees might arise; because our fees are eight guineas for the half year. At present men may avail themselves of that other method—that of not having to be taught at all in college. Still we are bound to teach them when they come in, if they wish it. But

the difficulty is, that if women attend our University only for examinations, we could not ask the eight guineas, and that would be, because we did not teach them. On the other hand, if we once take a less fee than eight guineas for the half year for examination purposes only, then we are immediately in a dilemma with those male students who wish to come in for examinations only, and who would demand a reduction of the fees. You see the difficulty of our position—and if you have given your mind to that question, and if you can solve it—for it is really the backbone of the whole difficulty—you will be conferring a great benefit!—Would it not solve itself if they provided lectures for the ladies, if there was a sufficient number to attend. If they didn't come, then there would be no lectures, and if they do attend, then there would be the fees to pay, but you could hardly expect ladies to pay eight guineas.

The inquiry was then adjourned.

THURSDAY, 18TH MARCH, 1884.

Present:—The Right Hon. Lord Justice FRERHERN, Judicial Commissioner; and Rev. GEORGE MOLLOY, B.D., D.D., F.R.C.L., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELIAS, Esq., LL.B., was in attendance.

* THE RALPH MACKLIN SCHOOLS.

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The Ralph
Macklin
Schools.

Mr. Twigg,
Esq.

3256. Mr. Twigg, Esq. (for the Governors).—The origin of this endowment was the will of Ralph Macklin, dated 14th of August, 1820. He gave certain annuities, and after their termination he gave the capital money for the purpose of founding an institution to be formed, and denominated the Ralph Macklin's Thimble and Sunday Poor School, and directed that this school should be under the guidance and direction of the governors and governesses of the Magdalen Asylum for the time being, assisted by the curates of St. Ann's, St. Andrew's, and St. Werburgh's; boys and girls both to be admissible to the institution.

3257. Lord Justice FRERHERN.—Are all the funds belonging to this institution realized?

Mr. Twigg, Esq.—They are all realized. They fell in about the year 1830, and are all in the hands of the Commissioners of Charitable Donations and Bequests. They now consist of £4,335 17s. Government now 3 per cent. stock, and the proceeds of a sale of a house in Camden-street which realized a sum now invested in £600 15s. Indian 4 per cent. stock. Some years ago the governors changed their position to Moleworth-street, in the parish of St. Ann's, and sold the premises in Camden-street.

3258. Lord Justice FRERHERN.—Had that house in Camden-street been portion of Ralph Macklin's property, or was it bought with money of his?

Mr. Twigg.—It was not his property, but was bought with money of his.

3259. Lord Justice FRERHERN.—The present funds are exclusively Ralph Macklin's endowment?

Mr. Twigg.—Yes; the schools had been in Ship-street, and that building was taken by Government for a barracks. Accordingly they changed to Camden-street, having bought premises there, and then when invited to come down into Moleworth-street they sold that, and the proceeds are in Indian 4 per cent. stock, which is also in the hands of the Commissioners of Charitable Donations and Bequests. The governors have a lease for twenty-one years from 29th September, 1874, at one shilling a year, from the parishioners of St. Ann's, of the building in Moleworth-street,

where their school is at present carried on. They have also £60 and 25 due by the select vestry of St. Ann's, being a contribution agreed to be paid by them towards certain repairs to the school premises, and expenses of gas, and £75, portion of the yearly subscription, payable by the select vestry, secured before such subscription was discontinued, and which was agreed to be paid by the vestry. It appears that shortly after the will a suit was commenced by the trustees and executors for the purpose of having a scheme settled, and the master made a report which was confirmed by a decree of the Court of Chancery, on the 11th of December, 1831. It alters the words of the will by including as governors "the curates for the time being." A question had been raised whether the curates were governors, and the decree appears to put the construction upon it, that the curates as well as the governors of the other institution are governors of the school. It gives some other directions, providing that all the expenses shall be defrayed out of the annual income, and that the principal moneys shall on no account be diminished, but shall be invested in Government securities in the names of the governors of the institution. It appears that the schools when constituted under that decree were carried on in Camden-street down to the year 1874, and then they got an invitation from the vestry of St. Ann's parish, through the present incumbent, requesting them to transfer their schools down to Moleworth-street, and offering in case they should go, to give them a lease, at a shilling rent, of the parochial schoolhouse lately built by the parishioners, for twenty-one years, of which nine years are now unexpired. I shall read the letter, for something will turn upon this, addressed by the incumbent to the governors of the school, dated 27th December, 1873—

"Gentlemen.—We have been informed that you have under your consideration the expediency of locating your school in the district for whose benefit it was originally intended under Mr. Macklin's will, and thereby securing a more effective inspection by these elementary schools

with the central district, who are constituted its ex-officio governors. Under these circumstances we respectfully inform you that in case you desire to obtain suitable premises, we, the select vestry of St. Ann's parish, are willing to rent you the premises in Melbourn-street known as St. Ann's schools at the nominal yearly rent of a shilling per annum, you on your part paying all salaries and school expenses. . . . We shall be answerable for all landlords' repairs, you for internal cleaning and all general expenses of management incurred, servants if required. Should we re-open a boarding school you will be required only to pay such proportion of the expenses as is necessary to management."

They did not accept that because it only offered them a lease free of rent, and a further offer came on 15th April, 1874:—

"The select vestry of St. Ann's parish make the following offer to the governors of the Ralph Macklin school. They will further pay £100 per annum towards the salary of the master and mistress and educational requisites, and they are willing to covenant that the school shall be known as the Ralph Macklin School, and shall be under the exclusive authority and control of the governors. And they reserve the right to hold evening meetings, lectures, classes, &c., as the premises, provided they be not held in school hours, also a right of passage between the school-house and Melbourn Hall, and any other rights in the buildings which shall not interfere with the execution of Ralph Macklin's trusts."

That proposal was accepted by the governors of Ralph Macklin's school. Before they did so, however, they thought it right to take the opinion of the Commissioners of Charitable Donations and Bequests as to whether they had power to do so, and the Commissioners of Charitable Donations and Bequests without offering any opinion as to the expediency of the thing, which they left to the governors, told them that they had authority to do so. Upon that they sold the premises in Camden-street and transferred all their chattels and goods into Melbourn-street, St. Ann's schoolhouse, and the school has been carried on there, very efficiently, I believe, indeed, from that day to the present time. A lease was executed in pursuance of the agreement on the 6th September, 1874. It purports to be made between Hercules Dickinson, D.D., Vicar of St. Ann's Church, and William Digges Lamouche and Mr. Kimball, who purport to be the trustees of St. Ann's parochial schools thereinafter called the lessors, of the first part; Dean Dickinson and the curates and all the members of the select vestry of St. Ann's parish, of the second part; and the Rt. Hon. Mansfield Longfield, William Brooke, William Digges Lamouche, John H. Orpen and some others, governors of the Ralph Macklin institution, of the third part; after reciting the circumstances, and that the select vestry of St. Ann's being in possession of the premises were desirous of having the school located in the parish of St. Ann's, and had made the offer I have stated to the lessors, it then devises the premises for twenty-one years from the 6th September, 1874, at a rent of a shilling, and contains this covenant:—

"And the said lessors and select vestry do hereby for themselves respectively and their respective executors and assigns covenant and agree with the lessors, their executors and assigns, that they, the lessors and select vestry, shall and will out of the parish funds, but not out of their own private moneys, well and truly pay to the lessors as such governors and governors of Ralph Macklin's Thursday and Sunday poor schools and their executors every year during the term of this demise so long as such schools shall continue to be held on the said premises and efficiently conducted, and free instruction and education is therein given to all the poor children of the district of St. Ann's, St. Andrew's, and St. Werburgh's churches, the sum of £150 towards the expense of maintaining the said Ralph Macklin's Thursday and Sunday poor school in a proper and efficient manner upon the said demise premises, and as an augmentation of the fund."

I am afraid we have no security, but it shows that we have the premises at a shilling a year; and it accounts for

the great anxiety to get rid of us. The opposition alone comes from the incumbent of St. Ann's who naturally having covenanted out of the parish funds to give us £150 as long as we are there, desires to get us out as quickly as possible, because the money is the parish funds. Of course, if they don't choose to collect funds for this special purpose there are no funds, and I am afraid it cannot be recovered in the present state of things. Now, having come down under that invitation and these circumstances, and that lease being made since then, we have carried on the school with perfect satisfaction; and I will take the incumbent's evidence given in 1880 in which he says that he himself has a knowledge of these schools personally for upwards of twenty-five years, and never knew them to be in as efficient a condition as they were in at that date.

Lord Justice FRANKLIN reads the report of 1880. 3250. Mr. TOLSON.—There are now nearly double the number of pupils that were on the roll in 1880. After this arrangement had gone on apparently in the most efficient and successful way for upwards of ten years, this notice came to the governors of the school on the 26th of December, 1884, signed by Robert Barton, honorary secretary of the select vestrymen of the parish of St. Ann's.—

"Dear Sir,—I have been instructed to forward to each of the governors of the Ralph Macklin's schools the following resolutions passed at a meeting of the select vestry of St. Ann's held this day, the Very Rev. the Vicar in the chair. I have the honour to be your obedient servant, ROBERT BARTON, hon. sec."

I. That a copy of the resolution passed by the general vestry on December 5th be forwarded to each of the governors of Ralph Macklin's schools.

II. That the select vestry having in view the latter part of the resolution adopted at a meeting of the general vestrymen of this parish, are prepared to confer with the governors of the Ralph Macklin School, if they desire, as to a dissolution of the existing contract by mutual consent; and in the meantime request the Ralph Macklin governors to take no further steps in the negotiations to place the schools under the National Board."

There had been before that some discussion about putting the schools under the National Board, some of the parishioners, including the incumbent, urging very strongly that they should be put under the Board. A good many of the governors, I believe, thought that they should not, but finally they yielded, knowing that it would be a relief to them, and they did so with that view, and the schools were placed under the National Board about six months ago. (Counsel reads correspondence between the select vestry of St. Ann's parish and the governors of Ralph Macklin's school.) It appears that notwithstanding that several of St. Ann's children have been withdrawn, the numbers in the schools have increased. There are now fifty-five boys, thirty-four girls, and sixty-three infants. In the Sunday schools are thirty-nine boys, sixty-nine girls, and thirty-seven infants.

3261. Lord Justice FRANKLIN.—Do you know what is the lessors' title?

Mr. TOLSON.—Yes, I believe they bought the ground with other premises beside it.

3262. Lord Justice FRANKLIN.—We went through this investigation to some extent in 1880, and I may say anticipated the mess you have got into by going into a twenty-one year leasehold with no title—it is subject to mortgages for £1,700.

Mr. TOLSON.—This is a very large building, and we do not fear that the mortgage will not be paid. We are not afraid of the mortgages. I believe the governors of the schools do not hold themselves bound to remain any longer if, having regard to the trusts, we think we should change our position.

3263. Lord Justice FRANKLIN.—That is a question to be considered; whether the breach by St. Ann's vestry of the terms on which you entered into the lease justifies you in surrendering it or holding on by your legal title whatever it may be. You have apparently no legal remedy for the £150.

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Mr. Twigg.—We do not consider that we have the best remedy for the £150. We cannot force the authorities of St. Ann's to collect money for that purpose, and it is open to the Dean when a man comes to give money to say "put it down to some other fund"; so that not a single penny can be got applicable to the scheme, and we admit this to be a bad debt. They have written us a letter saying that they do not mean to disturb us in any way during the continuance of the lease. We, on the other hand, think there is no obligation on our part to remain, and if the governors thought they would be of more use in any other of the parishes named they would feel themselves perfectly free to go.

3264. Lord Justice Fitzgerald.—Is not that a question that it would be well to consider now; I mean pending this Commission. Any change that you might think it prudent to make it would be important that we should have your views upon, and we could carry it out for you.

Mr. Twigg.—I am afraid there is a difficulty about that, because we have not at present had any communication from any of the other parishes.

3265. Lord Justice Fitzgerald.—You seem to me to be in a very great difficulty. You have now got nothing except a holding time at the curate for some nine years for the fabric of the school, and in addition a money income that appears to be about £216 a year altogether.

Dr. TRAILL.—And what they get from the National Board.

3266. Lord Justice Fitzgerald.—But what you get from the National Board is dependent on your having the school under the National Board, and therefore in substance you have a perishing title regularly running out to that school, and a fixed income of £216 a year, and it would be very important to try to get some permanent settlement of it now.

Mr. Twigg, Q.C.—The governors feel that they are doing a most useful work where they are, and when the time comes that they have to change their locality they will then be bound to consider where they can go and carry on the schools. They are now free of expense—a shilling a year rent—and they do not think it would be at all advisable to turn out at once when they have got a good school in full and perfect order.

3267. Lord Justice Fitzgerald.—There is another matter. The holding in which you are is an educational endowment, and whatever the interest in it may be, it is therefore within the scope of this Commission, it might possibly be amalgamated with your school, and so you would get rid of the select vestry altogether.

Very Rev. Dean Dickinson.—This is vested in the Representative Body.

3268. Lord Justice Fitzgerald.—It is a school-house, an endowment for a school, and at present, as far as I can see, without any educational trust attached to it except that for the Ralph Macklin school, but we will hear the Dean on that afterwards.

Mr. Twigg, Q.C.—I don't like to enter upon that question because we want to keep ourselves free from any complications with St. Ann's or any other authority but our own.

3269. Dr. TRAILL.—This school was not built for Ralph Macklin's school at all.

Dean Dickinson.—It was not built for Ralph Macklin's school, but we said "Here is a body willing to come with a large endowment, and we owe money."

3270. Rev. Dr. Mooney.—You wish to take power under the scheme to carry on the school in these buildings if you find that desirable, and to carry it on for the legal period which the lease has to run!

Mr. Twigg, Q.C.—That is all.

3271. Lord Justice Fitzgerald.—St. Ann's schools I find in 1857 were reported to have a principal sum of £1,150 Government 3 per cent stock invested in the names of the vicar and trustees of the school-house, £115 similarly invested, and an annual rent of £25 paid by the trustees of the Widow's Alma House

for the occupation of the premises, and they also had the Southwell bequest; and in 1880 all that appeared to have been sold out and spent with more on the building of these premises. Therefore the present state of affairs is this: a building which is an educational endowment belonging to St. Ann's, and a money endowment which is Ralph Macklin's, both at present tied together in a very inconvenient and at the same time temporary manner, and I apprehend our duty will be to see that both these endowments are in some way made permanently useful.

Mr. Twigg, Q.C.—If you think it right to give it to us we shall be very glad. At present only one-third of our children come from St. Ann's, and the rest of our children from other parishes.

3272. Lord Justice Fitzgerald.—There is another school close by in Kildare-place.

Mr. Twigg, Q.C.—That has not in the least affected our schools. Our numbers have rather increased.

3273. Professor DOUGHERTY.—Is your school intended for the same class of children?

Mr. Twigg, Q.C.—Quite the same, except that we give some advantages to very poor children which the others do not. We give some free education, and I do not know whether Kildare-place does.

3274. Lord Justice Fitzgerald.—We cannot get the deed. The solicitor who prepared it says that he has a lien on it. Do you know as a matter of fact by whom the deed was executed?

Mr. Mooney.—I have a memorandum and I will be able to hand it in. It was executed, I know as a matter of fact, by the three trustees, select vestry, by the Dean as lessee or trustee of the parish, and by five or six at least of the parties of the second part, members of the then select vestry, also by five or six of the lessees of the Ralph Macklin's governors.

3275. Mr. Twigg, Q.C.—Now, I call your lordship's attention to the scheme. This body who are appointed as governors by the original will are, we think, too numerous, and we want to have a selection.

3276. Lord Justice Fitzgerald.—Does the will provide that all the governors and governors of the Magdalen Asylum are to be governors of Ralph Macklin's school?

Mr. Twigg, Q.C.—It does.

3277. Lord Justice Fitzgerald.—What is the constitution of that body?

Mr. Twigg, Q.C.—This body, male and female, amount to thirty-two, and we think that is too large a number, and it is better to let them have a selection, and to have eight of the governors male and four of them female.

3278. Lord Justice Fitzgerald.—Is there any connection at present of a beneficial kind between the Magdalen Asylum and the schools in the way of collecting money or having concerns?

Mr. Twigg, Q.C.—Well they are all very infatigable people, my lord. No.

3279. Lord Justice Fitzgerald.—It would be necessary in any permanent settlement of a scheme to make provision for the event of Magdalen Asylum trustees not continuing.

Mr. Twigg, Q.C.—We are perfectly willing to act.

3280. Lord Justice Fitzgerald.—At present, but these schemes are to be permanent. There is an inherent defect of the original testator's disposition, where he provided that the governors and governors of the Magdalen Asylum should continue to be governors of the school, but there should be some provision in the scheme to deal with the case of their failing.

Mr. Twigg, Q.C.—I do not think that need be much apprehended, they have never up to the present shown any disinclination to act.

3281. Dr. TRAILL.—Have they all to be members of the Church of Ireland?

Lord Justice Fitzgerald.—They must be, because the Magdalen Institution appears to be a Church of Ireland institution.

Mr. Twigg, Q.C.—I think it is very likely that when

it is thrown upon a certain portion of them their attendance will be more regular, and I think that is quite consistent with the intentions of the testator; we provide then that a certain number shall be the present governors and governors, and that on a vacancy the Magdalen body should elect a person to fill that vacancy; then we propose to have the four curates—there are at present two curates of St. Ann's, and there are the curates of St. Andrew's and St. Werburgh's.

3232. Lord Justice FRANKLIN.—St. Werburgh's parish has been amalgamated with a number of parishes round about it.

Rev. Mr. Hughes.—I am curate of St. Werburgh's, and it is only for educational purposes, I am joined with St. John's.

3233. Lord Justice FRANKLIN.—You are joined with St. John's?

Rev. Mr. Hughes.—Oh, yes, St. John's and St. Werburgh's have been so for nine years.

3234. Lord Justice FRANKLIN.—There is not a separate curate for each parish.

Rev. Mr. Hughes.—No, I am curate of the joint parishes.

3235. Mr. Twigg, Q.C.—We propose that in the event of the schools being removed into any parish not being the parish of St. Ann's, St. Andrew's, or St. Werburgh's the Board may by resolution from time to time co-opt as members of the Board, all or any of the clergymen of the Church of Ireland, being the incumbent and curates of the parish wherein the schools shall be for the time being situate, and such clergymen shall continue members of the Board so long as they shall respectively continue such incumbent or curate respectively, or so long as the schools shall continue in such parish. I do not think it is necessary even for any permanent scheme to make any provision for the failure of the governors of the Magdalen Asylum. The Magdalen Asylum governors on 25th February, 1856, named eight gentlemen and some ladies as representatives of the governors of the Magdalen Asylum on the Board of the Ralph Macklin schools. A further clause of the scheme provides that the personal estate of the charity shall go to the Commissioners of Charitable Donations and Bequests, and that any real or chattel real estate of the charity shall be vested in the Commissioners, or, if they decline to accept the same, in any three members of the Board as trustees for the purposes of the charity. No. 4 then is, that the schools may, during the continuance of the lease of the present school buildings in Molesworth-street be conducted in the said buildings, but may be removed and from time to time carried on in any part of the city of Dublin which the Board may consider advisable having regard to the nature of the charity and the circumstances of the district with respect to education, and the Board may enter into any agreement with the governing body of any other charity having objects similar or analogous to those of this charity, although it has been assumed that the testator must have had some idea of benefiting those parishes named, there is not a word to that effect in the will.

3236. Lord Justice FRANKLIN.—The Magdalen Asylum is not in any one of these parishes.

Mr. Twigg, Q.C.—And that shows, I think, that he did not mean to localise it at all, and therefore if the governors find at any time that any other part of the city of Dublin is a better field for their charities they have a right to go there if they please, and they wish to preserve that right to themselves. For that purpose they propose, for the purpose of school accommodation, to take any lease or other conveyance, or to sell or let any real estate and to expend any portion of their capital in the purchase of real estate. Section 5 is in common form that they may be able to alter rules and regulations for the government of the schools, provided such rules and regulations shall not be inconsistent with the trusts of the will or the provisions of this scheme; and that the Board may from time to time conduct all or any of the schools in connexion with

the Commissioners of National Education as non-vested schools. The Board shall also have a discretionary power to expend portion of the income in providing school requisites and prizes, and on half-yearly school feasts, and in the purchase of clothing for the most necessitous and deserving children attending the schools. Also that they shall as far as possible afford education at a reduced rate or gratuitously to pupils whose parents are unable to pay. Then No. 6 is that children of both sexes, and of any religious denomination shall be received as pupils in the week day schools. The week day schools shall as heretofore be opened and closed daily with religious worship, and instruction in the Holy Scriptures and the fundamentals and doctrine of the Church of Ireland shall be given daily in such schools; provided that no pupil being a Roman Catholic shall be permitted to remain in attendance during such worship or instruction, and no pupil of any other denomination whose parents or guardians shall notify in writing their wish to that effect. There is a statutory clause providing for inspection, and then the rest are very much common form.

3237. Professor DOUGHERTY.—Is there any provision in the will as regards the character of the religious instruction?

Mr. Twigg, Q.C.—Not a word about it, except that they are to be Thursday and Sunday schools.

3238. Professor DOUGHERTY.—Because I see in the report of 1857 instruction in the fundamentals of the Church of Ireland was restricted to Church children.

Mr. Twigg, Q.C.—They have been conducted as Church schools, but admitting everybody.

3239. Lord Justice FRANKLIN.—Mr. LeTourneux was a witness examined about this, and he said they desired to have it as a denominational school but that it should be kept open for children of all denominations who chose to attend. The foundation was for a time a Sunday school, and the trustees were all necessarily members of the Church.

3240. Professor DOUGHERTY.—Originally the will gave the advantage of the school to children of all denominations without any condition except religious instruction.

Mr. Twigg, Q.C.—Yes, and it is proposed to educate all now, so that even if we withdrew from the National Board that clause would be still part of our constitution. The remaining clauses are very much common form providing for inspection, &c. However, there is a clause making the Board to appoint one of their own body or some other person as secretary at £20 a year.

3241. Dr. TRAILL.—Did the testator say in his will that pupils of the week-day school were or were not to be required to attend the Sunday school?

Mr. Twigg, Q.C.—He did not say. He simply said they were to be Thursday and Sunday schools.

3242. Dr. TRAILL.—Was it not part of the will that there should be a Sunday school?

Professor DOUGHERTY.—That the school was to be held on Sunday, but it was not necessary to be a Sunday school according to the modern meaning of the word.

3243. Lord Justice FRANKLIN.—Having regard to the extent of your property, is this Ralph Macklin endowment capable of maintaining a school by itself?

Mr. Twigg, Q.C.—With the assistance from the National Board it is. Of course it could not maintain it so well at present without assistance from the National Board, but it could maintain a different and more limited school in another place.

Rev. Dr. J. J. J.—When the school was in Camden-street it was able to maintain itself, there were fifty boys there and thirty or forty girls.

3244. Lord Justice FRANKLIN.—What I find is this. At present, and for the next eight or nine years, you can carry on your school in Molesworth-street, but at the end of that time that arrangement appa-

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Mr. Twigg,
Q.C.

Mr. Twigg, Q.C.

rently will, and certainly may come to an end. During the next two and a half years a power exists of making a permanent arrangement under this Commission. It would be very important in the interests of this charity that it should be settled one way or another now, instead of allowing you, for the slight advantage of holding on in a place to which you have no permanent title, to postpone an arrangement leaving the Ralph Macklin school in the position in which it seems to have been almost from the very foundation, a thing to be shorn about from one place to another, and with no local habitation.

Mr. Munnell.—It was only in two places.

Dean Dickenson.—First street, Ship street, Camden street, Stephen street, Malenworth street.

Mr. Twigg, Q.C.—The difficulty is in advising beforehand. It would seem a great sacrifice to shift our position at once, but in the next nine years if the Board deal with the matter it is to be assumed that they will do the best that can be done.

3295. Lord Justice Fitzgerald.—The existing arrangements are not in accordance with Ralph Macklin's intention, which was apparently that his endowment should be for founding and the maintenance of a school of his own.

Mr. Twigg, Q.C.—We have proposed that the schools should be called the Ralph Macklin schools, and that we should have entire control over them. Now, I wish to refer your lordship to a statement that has been put in by the Dean, which, from his point of view, is desirable, but which is utterly inconsistent with the intentions of the testator. He proposes to take away the funds altogether from the governors and to hand them over to the Representative Church Body to be applied in supporting those schools to which he has withdrawn his children in Kildare-place. If Ralph Macklin was alive now this might be proposed to him, but it is totally different from it what he has directed, and I suppose that the Commission would have no authority to do so, because one of the things they are specially directed to have regard to, is the constitution of the governing body according to the testator's intentions. But no grounds whatever are given for it. The Dean says in his letter—"These schools have been rendered unnecessary by the recent establishment of a first class primary school in the adjoining street in connexion with the National Board. With that the Ralph Macklin school cannot hope to compete." I think we are competing and doing it in a way to give perfect satisfaction. He says in November last, that we had about twenty children belonging to the parish attending the Ralph Macklin school, "and the remaining children came from surrounding districts readily supplied provided. There is abundant room for all in the Kildare-place school. If the Commissioners of National Education should see fit to continue the grant made very recently to the Macklin schools, although in immediate proximity and connected with the same religious denomination, they will be expending public money in a way which is not merely unnecessary but tends to divert the children of the neighbourhood, so far as it may attract them at all, from the better educational institution, as well as to interfere in ways easily understood with the due discipline of both establishments." The Commissioners are very good judges to take care of themselves. Then he says "I ask your attention to the very objectionable condition of the Ralph Macklin Board under the terms of Mr. Macklin's will." Well, it is rather a novel thing that a testator can be told that the trustees to whom he chooses to commit his money are very objectionable. He says that "the governors are to be the governors of the Magdalen Asylum, Leeson street, for the time being, assisted by the curates of the parishes of St. Ann, St. Andrew and St. Werburgh. The rectors of the parish in which the school may be situated is absolutely excluded from all control or interference, while those who are from time to time elected as governors of the Magdalen Asylum find themselves without notice, without their knowledge, choice, or consent con-

stituted thereby through the arbitrary appointment of a dead man of whom they never heard as co-trustees, guardians of another entirely foreign institution which may be at any part of the city, which has in fact been moved from place to place, and which involves duties and responsibilities wholly alien from those which they had meant to undertake." I never heard as yet that any of the governors of the Magdalen Asylum ever raised any objection to being put in the position of trustees. I think there is just as good attendance in this Board as in any of the other boards. The Dean on a former occasion gave evidence that the Board attended very well. He then says that "consequently as a body they have taken little interest in the school which were for many years to my knowledge left chiefly to the management of the curates of the parishes named." Indeed as the minute book will show they were for a long time under the almost sole control of the Rev. George Blacker.

Dean Dickenson.—Who was not a governor at all.

Mr. Twigg, Q.C.—That is all past and gone, my lord, and the school has been very well managed and has a very fair attendance, and we are proposing to modify that point about the governors being so numerous and having office thrust upon them because now eight persons would be elected. And now he says "If I were at liberty to submit a scheme for the future disposal of the endowment of some £200 per annum, and for the better administration of the funds which Mr. Macklin bequeathed for the maintenance of a school for the poor, I should venture to suggest that the Board of the Ralph Macklin School as at present constituted be dissolved and the endowment handed over to the Representative Body of the Church of Ireland, in trust for the use of the Kildare-place Training College and the primary schools connected therewith. I mean these schools first, because they gather in many children from the districts which Mr. Macklin seemed to have in view when he particularly associated in the management of the schools, the curates of the parishes of St. Ann, St. Andrew and St. Werburgh; second, because they will continue to extend educational advantage to children of all denominations, adding the protection of a residence clause such as Mr. Macklin's will does not contain" (but which we put in); "third, because I believe that the appropriation of the endowment to these schools I have named would secure the permanently effective administration of the fund and put an end to the present anomalous and unserviceable character of the institution." Is it fair to call that institution anomalous and unserviceable which educates 133 poor children?

3296. Lord Justice Fitzgerald.—Do you limit "curates" in the will to what are called "curate's assistant"?

Mr. Twigg, Q.C.—It has been always treated as the curates.

Lord Justice Fitzgerald.—The point is—what is curate?

Dr. TRAILL.—It seems a very anomalous thing to omit the incumbent.

3297. Lord Justice Fitzgerald.—The curate properly speaking is the French cure, the incumbent with the cure of souls. I find Mr. Saurin's opinion is this: "In my opinion the persons intended by the testator were the assistant or licensed curates, not the incumbent, rector, or vicar of the parish." This is a doubtful will and the testator uses a technical expression; if he meant the clergy of the parish to have the charge of this school it would be worth consideration whether they should not, all of them, be governors.

Mr. Twigg, Q.C.—I think it is very possible that he looked upon the curates as being the most likely to take an active interest.

Dean Dickenson.—He did not foresee the future.

3298. Lord Justice Fitzgerald.—There is a great difficulty in putting into this scheme provisions that might be likely to become obsolete in a very short time, and what are you to do in the event, I am sorry

to say by no means rare, of any parish ceasing to have a curate?—It is very unlikely that this gentlemen contemplated leaving out the clergy altogether.

Mr. Twigg, q.c.—If we went into a place where there were no curates we could co-opt the incumbent. In clause 2, we say, "In the event of the schools being removed into any parish not being the parish of St. Ann's, St. Andrew's, or St. Werburgh's, the board may by resolution from time to time co-opt as members of the board all or any of the clergymen of the Church of Ireland, being the incumbent and curates of the parish wherein the schools shall be for the time being situate." And I do not think it is likely that such

important parishes as St. Ann's, St. Andrew's, and St. Werburgh's, will ever be without curates.

3299. Dr. TRAILL.—St. Werburgh's is amalgamated already.

Mr. Twigg, q.c.—In case we should go to a very poor parish—and I do not know whether there is provision for a curate in St. Werburgh's—we should have a power to co-opt the incumbent.

Rev. Dr. JULIAN.—It seems from the number of governors and governors of the Magdalen Asylum constituted governors under this bill, that the legislator intended the parish of St. Peter specially to benefit.

March 24, 1846.

Mr. Twigg
q.c.

Mr. Robert H. Beauchamp sworn and examined.

Mr. Robert H.
Beauchamp.

3300. Lord Justice FITZGERALD.—Mr. Beauchamp, you are one of the governors of the Magdalen Asylum?—Yes.

3301. And have been acting under the Macklin trust?—Yes.

3302. What is the constitution of the Magdalen Asylum?—The guardians meet occasionally to do the business of the year, and they elect some gentlemen to each vacancy.

3303. Who are the guardians?—what is their legal status?—There is none. They could elect any person.

3304. In whom is the property of the Magdalen Asylum vested?—It is vested in trustees, myself and Mr. Justice MONROE, under a deed in trust for the Asylum.

3305. Now, as to the funded property?—The funded property which is £1,345, is vested in three trustees of whom I am one.

3306. Who appoints these trustees?—By resolution the guardians have appointed them up to the present.

3307. And who are the guardians?—Those gentlemen that we elect from time to time.

3308. Is there any qualification?—There is this qualification, that they must be guardians of the asylum.

3309. What makes them guardians?—Well, election by parishes guardians.

3310. Is it necessary that they should be subscribers?—Yes—they must subscribe two guineas a year to the Magdalen Asylum.

3311. Lord Justice FITZGERALD.—Does the payment of two guineas constitute a subscriber a guardian?—No, but each guardian when elected must pay a subscription of two guineas per annum.

3312. Professor DOWDALL.—Do you select guardians who subscribe two guineas?—No; we elect the guardian first.

3313. Lord Justice FITZGERALD.—Is it two guineas a year?—It is two guineas a year for twelve years, after which time the guardian becomes free from subscription.

3314. Is there any limit to the number of governors and governors?—No, there is no limit to the number of governors and governors.

3315. And who determines how many there are to be?—No person.

3316. Dr. TRAILL.—Are the guardians and governors the same?—The guardians have control of the charity, the governors look after the control of the house. The governors also pay two guineas a year.

3317. Lord Justice FITZGERALD.—What number of persons are qualified at the present time under the description of Ralph Macklin's will as governors?—At present there are "seven guardians and "thirteen governors, all subscribers of two guineas a year.

3318. Is it necessary that they should be limited to members of the Church of Ireland?—Yes, but one-third of the guardians need not be members of the Magdalen Church congregation, the other two-thirds must unless by special resolution of the guardians.

3319. Do they vacate their office ipso facto on ceasing to attend the church?—There is no provision, but they cannot be elected.

3320. Have you the minute book of Ralph Macklin trustees?—Yes (produced).

3321. Have you any quorum?—There has been generally the quorum.

3322. As a rule what number attend?—If there is a special meeting unsummoned there will be five or six there, or seven.

3323. Have you any fixed time for attending?—Every month. It used to be the first Monday in the month, and now it is the first Wednesday in the month.

3324. Where do you meet?—In Melanworth-street at the schools usually.

3325. Lord Justice FITZGERALD.—Are the summonses sent to all the governors and governors of the asylum?—No, not always. There have been summonses sent to all, but the summonses I am speaking of now are only sent to those who are likely to attend.

3326. What control do you exercise over the school, or what attendance do you give there?—Well, the governors give no attendance at the school, except the curates of St. Ann's, who are supposed to give more attention than any other, because they have no schools of their own, either Sunday or day schools.

3327. There was formerly a payment made to the curate for catechising, is that still continued?—No, it is not.

3328. Now, any attendance given by the curates to the schools is given without charge?—Without any charge to the endowment.

3329. Dr. TRAILL.—Simply as governors?—Simply as governors.

3330. Lord Justice FITZGERALD.—Have you got the rolls of the school?—We get a return every month as to the attendance.

3331. What is the last return?—Boys' school, number of pupils on the roll 55, average daily attendance 41. Latin class 6. Girls' school, number on roll 36, average attendance 25; infants' school 38 boys, 38 girls—48; average attendance of boys 27, girls 19; total 45.

3332. Lord Justice FITZGERALD.—When did your school come under the National Board?—In July or August last.

3333. Have you yet got any payment from the National Board?—We have got two payments.

3334. I see in the master's account you have written off £31 17s. 6d. as loss through defalcation?—Yes, that was a defalcation of the previous master. We paid him the money for the monthly accounts, and he ran away with it.

3335. How was that?—We used to give him a cheque perhaps for one of the teacher's salaries, and he never paid it over, and we did not find that out till afterwards. I do not know whether he produced receipts or not.

3336. But you lost the money?—We lost the money. Some of them sent us in receipts, and we passed them next week and took it to be all right.

3337. The next item is salaries and servants' wages,

March 15, 1884.

Mr. Robert H.
Bancroft.

3331. *Q.* What are the salaries you pay?—We pay the master £70 a year. The salaries come to about £16 per month—£16 3s. 6d. per month.

3332. Are those the salaries of all the teachers?—The male gets £5 16s. 8d. per month, the female, £4 3s. 6d., the infant school teacher, £2 10s., and the assistant, £1 5s. And there is an allowance for a chorwman, and an allowance for a servant for the master.

3333. I see £22 15s. 9d., a large item, for repairs, papering, and painting last year?—We were called upon by the contractor to pay up that money. We incurred about £130 expenses in repairs on the school absolutely necessary for awnings, putting in windows, and sundry other things. £60 of that the Vestry agreed to pay. There was a sub-committee of the Select Vestry met us, and with the Dean marked off on the contractor's estimate what they would pay for, and what we would pay for.

3340. Is that the £60 then that you return as a debt at foot of the scheme?—Yes.

3341. There is another sum of £5 returned as a debt due by the Vestry?—Well, I got that after six months, by turning off the gas. I had to resort to extreme measures.

Dean Dickinson.—I have something to say about that.

3342. Lord Justice Fitzgerald.—In one of your returns again for 1883, there is an item of expenditure £19 8s. 6d. That does not occur again so far as I see. What was that payment?—I cannot answer that.

Dean Dickinson.—I can explain that.

3343. Lord Justice Fitzgerald.—Also I see travelling expenses for the head master?—The present head-master; we brought him up from Londonderry, and we undertook to pay the expenses of his journey.

3344. And that is not likely to occur again?—Yes.

3345. What prices do you give?—We give the prices at Christmas—prices to all the schools.

3346. Professor Donoherty.—How many free pupils have you?—I cannot tell you. There are only two schools under the National Board.

3347. Which is the one not under the National Board?—The girls' school.

3348. Why has it not been placed under the Board?—They have not the attendance at present.

3349. What is the attendance?—We have twenty-six at present, but I think what is required is thirty.

3350. You can go under the Board with any attendance?—They won't give us a capitation grant.

3351. Then in fact the possibility of the other schools prevents your getting the capitation grant for the girls' school?—I do not think they would give it at all in Moleworth-street, being in a town.

3352. Dr. TRAILL.—You mean that they do not give the capitation grant when the attendance is less than twenty-five?—Mr. Davis will tell you more about that than I can.

Dean Dickinson.—I will tell you a great deal about that.

3353. Lord Justice Fitzgerald.—You receive your money half-yearly from the Commissioners of General Donations and Bequests?—Yes, it is lodged in my credit in the Ulster Bank.

3354. What is the name of the account to which it belongs?—The Ralph Macklin Schools. Two of the governors at a meeting sign the cheques.

3355. I believe you were formerly in the Munster?—Formerly in the Munster.

3356. And the last account shows there was a considerable balance due to the Munster Bank, £212 13s. 8d.?—Yes; we paid them off by cheque on the Ulster, and we are in debt to the Ulster at present.

3357. You still owe to the Ulster?—We still owe the Ulster about £100.

3358. This account commences with a balance of £283. How did you get into debt?—As long as I remember it is as large as now. We only owe about £100.

3359. What school accommodation have you in the school?—We can take in fifty more. As to how we got into debt, Mr. Russell, who is the eldest governor, may be able to tell.

Rev. J. Adlyns Davis sworn and examined.

3360. Lord Justice Fitzgerald.—You have been taking an active part in the management of the Ralph Macklin schools?—Yes.

3361. As curate of St. Ann's?—Yes.

3362. How long?—Since the 1st of January, 1883.

3363. What number of school-rooms are there in the building?—Three school-rooms and two rooms used as class-rooms.

3364. Five altogether?—That is five concerning the school. There are also a number of other apartments which are for the use of the male teacher.

3365. Does the male teacher reside in the building?—He does.

3366. Is there any residence for any of the others?—No.

3367. Are all those rooms included in the lease from the parish?—I understand so. I was not in the parish at the time.

3368. What course of instruction have you?—The usual course of instruction in primary schools with additional branches as shown in the prospectus.

3369. Have you got a copy of the prospectus?—(Witness produces prospectus.) This has undergone some slight modification, because it was before the school became connected with the National Board, but it substantially represents the present state of affairs.

3370. I observe that you have several courses in addition to the ordinary primary education?—Yes.

3371. French and Latin. How many children have you learning French?—I have according to the last return four.

3372. And Latin?—Three. It varies from time to time. Children may come for a quarter, and they may discontinue it.

3373. Are any children learning Greek?—No.

3374. And instrumental music also?—Yes; a considerable number.

3375. Professor Donoherty.—Have you anybody qualified to teach Latin?—Yes; our master is a member of the University of Dublin and of the Royal University, and he is sufficiently qualified. Of course it is not very advanced Latin, but sufficiently so.

3376. Lord Justice Fitzgerald.—Your principal salary is £70 a year?—Yes, exclusive of children's fees.

3377. Does he get all the children's fees also?—Yes.

3378. What are the fees?—i.e. 1d. a quarter in advance for ordinary pupils.

3379. A penny a week?—A penny a week—no higher.

3380. How is the admission of free pupils regulated?—In the case of children residing in the parish, one of the curates of St. Ann's generally certifies to their fitness for admission as free pupils. In the case of those residing outside the parish, a letter is required from the minister of the religious denomination to which they belong as to the necessities of their parents. This is provided for in paragraph 8 of prospectus.

3381. Professor Donoherty.—And do you admit free pupils from other parishes?—Oh, yes, the school is not in any way limited.

3382. Lord Justice Fitzgerald.—Are you able to tell us how many children attending the school come from the parish of St. Ann?—Forty to forty-five out of a total of 145. I have here the numbers, and they are increased since.

3383. That is about a fourth?—In or about a third or a fourth.

Rev. J. Adlyns
Davis.

3384. Where do the other children come from?—Various parishes. A considerable number, I should mention, come from the parish of St. Andrew's.

3385. Are there any parochial schools at present open in St. Andrew's?—Only an infant school.

3386. And St. Werburgh's?—The parish is further away.

3387. And there are parochial schools open in St. 1—Yes.

3388. Do they give the same class of education that you do in Macklin's?—I should prefer that the secretary of St. Werburgh's schools should answer that question.

3389. You have a considerable number of children coming from St. Werburgh's?—Not very many more than from St. Andrew's; and we have children from St. Peter's, which would be accounted for by the fact that our principal male teacher, Mr. Poole, was for many years in St. Peter's.

3390. Where do the other children of St. Ann's parish go to, besides the forty or forty-five that go to you?—Mostly to Kildare-place.

3391. About how many children of St. Ann's parish, as far as you can give us the information, attend the Kildare-place schools?—I suppose about twenty. It is a figure to which I could hardly speak. I had better not offer any evidence on that.

3392. How many children is there accommodation for in the Ralph Macklin school building?—That depends upon the cubic space allowed to each child. The male school has room I think comfortably and having regard to health and ventilation for twenty boys more; and there would be accommodation in the girls' school I should say for an attendance of fifty; and in the infants' school for seventy.

Dr. TRAILL.—That would be about two hundred altogether.

3393. Lord Justice FRANKLIN.—We had it stated that you had not enough of children attending the girls' school to enable you to get a grant from the National Board?—Yes.

3394. To what do you attribute that?—I think if the general attendance at girls' schools were looked into, it would be found that owing to the early age at which they are employed, and their extreme usefulness at home, their attendance is never as large in proportion as the number of the others. But the numbers have increased. At present there are thirty-eight on the roll.

3395. Then if you could secure an attendance of thirty-five, you would be entitled to a grant?—Yes; for a certain time; it must be for six months.

3396. Professor DOUGHERTY.—Have any special efforts been made lately to increase the attendance at these schools?—Not to increase them.

3397. Lord Justice FRANKLIN.—What was the largest number you ever had there during your time?—I should say 125 or 130. I think it may have reached that figure.

3398. Then it is as large or larger than it has ever been before?—Yes; but that depends upon what date you fix.

3399. You gave us 165 as being there now?—I gave 165, but with what period do you wish the comparison made?

3400. Any period that you know of?—I think the present number is in excess of what it was.

3401. You are aware of the title of the place to which the school is carried on, that it is a terminable one. Bearing that in mind, would you state what was the most prudent way to deal with this to make it permanently useful?—Personally I agree with the view put forward by our counsel, that it would be advantageous to us before taking any immediate steps to us during the remainder of the unexpired term of the lease what we should do, subject of course to the control of the Commissioners and that their sanction was obtained, supposing the view Mr. Twigg has put forward were adopted.

3402. Dr. TRAILL.—What parish are you curate of?—I am curate of St. Ann's.

3403. What attendance do you give?—During my month of duty I attend at the opening religious service, and I catechise twice a week. Canon Russell and I take the duty alternately of attending the schools.

3404. Who is the manager of the schools as returned to the National Board?—Mr. Beauchamp.

3405. Can you tell us what amount of money assistance you are able to get from the National Board on your present attendance of pupils?—The National Board has only paid us since the 17th of August last. That was the time from which we derive payment from them, and we have received, I think, about £23. The annual value would be £35 to the master, and £27 10s. to the infants' school teacher, plus of course rents free and free stock, inspection, &c.

3406. Have you any idea of what the results fees would amount to?—I could not form any opinion, because the school has not been sufficiently long in operation. I may mention that the results fees that were given in the infants' school were awarded for the last two years upon the National Board system.

3407. You mean there that you paid yourselves?—Yes; it was 4s. 2d. the last time.

3408. Then the whole aid you are able to get from the National Board at present is £23 10s. per annum, and chances of results fees in addition?—Yes.

3409. And if you raise the attendance in the girls' school to thirty-five for a sufficient time, what would you be entitled to?—To £27 10s. more; but in case of teachers classed more highly there is a larger salary forthcoming, and such salary would go into the income of the governing body.

3410. Lord Justice FRANKLIN.—You have no other parochial school in St. Ann's except this?—No.

3411. Dr. TRAILL.—Do you take any part in Kildare-place?—No.

3412. Lord Justice FRANKLIN.—As a curate of the parish can you tell us in your opinion is a parochial school, independent of Kildare-place, required in St. Ann's parish?—I should imagine from its long co-existence when the Kildare-place schools were side by side with it, that it must have been considered so, when it was removed in 1874.

3413. But then the Kildare-place School was on a different basis?—On a different basis, but there were the schools of the Church Education Society.

3414. Professor DOUGHERTY.—Have you considered the original intention of the founder of these schools?—As far as I can gather them from the way in which he has expressed them.

3415. Do you think that the word "poor" in the will throws any light on his intention with regard to the children to be admitted to the benefit of his endowment?—Yes, and keeping that in view, the fees were made as low as possible, and it has been a matter of surprise to some how very low they are. In other schools in the neighbourhood, the National schools, the fees vary.

3416. You appear to provide for a great many extra subjects?—They are extras, and there is extra payment made for them.

3417. Lord Justice FRANKLIN.—Does any payment come out of the school fund for those extra subjects?—Yes, a contribution equal to the amount of fees that is paid, otherwise it would not be worth the teachers while to teach.

3418. Do you mean that if a child pays 5s. a quarter the master gets 10s. a quarter—5s. from the pupil and 5s. from the fund?—Yes.

3419. No matter what the number of pupils may be?—There is a certain limit.

3420. I suppose you fix a maximum amount?—The teacher makes a quarterly report as to the number, which guides us.

3421. Mr. TWIGG, Q.C.—That is with regard to

March 18, 1896.

Rev. J. Atiqua
Davis.

Latin and French?—*Witness*.—With regard to all the entire subjects.

3432. *Professor DOUGHERTY*.—Do you find there is frequently a large payment by pupils for extra subjects?—Occasionally there is, as there are boys who wish to take up French for a counting-house, and boys who wish to take up Latin, and girls whose mothers wish them to get a certain acquaintance with French, and they may not be in the school an entire year—sometimes a quarter or half a year.

3433. *Lord Justice FRINGGROSS*.—English, book-keeping, drawing, mathematics, vocal music, which you put down for 1s. 1d. a quarter, are those all contained in the National Board programme?—Yes, vocal music was discontinued owing to the desire of the governors to exercise as much economy as possible just previously to the connection with the National Board, which was only since August last; but with that exception, everything is taught in strict accordance with the rules of the National Board.

3434. Does every child learn drawing?—Every child learns drawing. It is under the control of the Science and Art Department.

3435. And book-keeping?—Yes, book-keeping is taught in those classes which are fit for it.

3436. What number of pupils have you at present free?—Nine.

3437. Are those all in the boys' school or all in the girls'?—There are no free boys at present, but there are girls, and in the infants' school there have been free boys.

3438. *Mr. Twigg, Q.C.*—Do you know what the children in Kildare-street School pay?—Yes, I think from 10s. down.

Dean Dickinson.—*As. Witness*.—I had a printed return of the fact sent in last summer.

Dean Dickinson.—I may mention as one of the managing committee of that school that they also have the power of remitting.

3439. *Mr. Twigg, Q.C.*—What are the fees?—*Witness*.—I find on reference to the return, that they are 1s. 1d., to 5s. per quarter. The latter mentioned that it was in contemplation to raise it.

3440. *Dr. TRAILL*.—Do you examine into the question of the poverty of the children at all?—As regards the poverty of the children of the parish I am generally able to have some idea of that myself either personally or from the representation of Canon Russell. As regards outsiders, we ascertain their circumstances so far as possible from the minister of their religious denomination.

Rev. Charles D. Russell sworn and examined.

Rev. Charles
D. Russell.

3441. *Lord Justice FRINGGROSS*.—How long have you been connected with the schools?—I have been there ever since I came into St. Ann's parish, at the close of 1836.

3442. At that time the school was in Camden-street?—Yes.

3443. And it was removed to St. Ann's parish in 1874?—Yes.

3444. From 1868 to 1874 you were only connected with it as governor outside your own parish?—Yes.

3445. And since 1874 you have been also of course more intimately connected with it as being in your own parish?—Yes.

3446. Do the class of children attending it differ in any and what respect from the children at Kildare-place?—I have not been often at Kildare-place, but my impression is that they are much the same class of children as the class of children attending St. Ann's school, and many children of respectable well-to-do parents, perhaps with the exception, I think, of the infants' school. I think in the infants' school there are a good many children whose parents are poor, but, I think, generally the children in the boys'

3431. But they must have a certificate of poverty?—That, I think, is to protect ourselves against imposition. We think it advisable that that should be done.

3432. You call it imposition?—Yes; people who might be very well able to pay very considerable fees.

3433. Would you refuse them altogether or take them in and charge them higher?—We could take them in, but we could not go below the ordinary rate.

3434. *Lord Justice FRINGGROSS*.—Do you charge any child more than a penny a week for the ordinary course?—No.

3435. Then before you admit them at a penny a week you satisfy yourselves as to the circumstances of the parents?—Yes. The free scholars are divided into two classes—that is, those who get requisites and education free, and those in whose case the fees only are remitted, and whose requisites and books, &c., have to be provided at the expense of their parents.

3436. *Dr. TRAILL*.—You do not mean to say that all the pupils who pay a penny a week are poor pupils?—Well, I think, according to the rule of payment they are.

3437. *Professor DOUGHERTY*.—But according to the circumstances of their parents they are not?—No.

3438. Are they all poor children then?—Well, "poor" is a very relative term.

3439. *Dr. TRAILL*.—That is what I want to know, is a penny a week the test of poverty?—They are generally of the mechanic class, and the artisan class, and some of the clerical class.

3440. *Lord Justice FRINGGROSS*.—Then there is no test at present to secure that the children who are attending the school shall be poor children?—No; the children come, and if there is a special representation of poverty, or if we are aware, for instance, of parents being out of work, it has been the inviolable custom to remit the fees.

3441. Before the admission of a child to be taught at 1s. 1d. a quarter, is there any test that the parent is poor?—No.

3442. Do you know the class of children attending Kildare-place schools?—I cannot speak from personal knowledge.

3443. And you are not in a position to compare the class of children attending the two?—No; from my want of knowledge of the social status of the parents of the children at Kildare-place.

3444. *Dr. TRAILL*.—I thought that before they were taken in at 1s. 1d. they had to bring a letter as to the circumstances of their parents?—No, only the free pupils.

school and girls' school are children of well-to-do parents.

3451. *Professor DOUGHERTY*.—Is there a large working-class population in the parish of St. Ann's?—I suppose there is, but not amongst the poor—not amongst the Protestant poor.

3452. You would not call the parish of St. Ann's poor parish?—No, I would not call it a poor parish.

3453. *Lord Justice FRINGGROSS*.—What are the class of children you referred to?—They are children of artisans chiefly, I think, well-dressed children.

3454. And are you acquainted with the free children?—I cannot say, but of course some come from the parish.

3455. Under what circumstances do you admit free children from the parish, yourself?—When I find the parents out of work and no means of paying, these may be exceptional cases.

3456. As a rule the children are paying pupils?—Yes.

3457. And as a rule they are the children of parents in a respectable position in life?—I think so, with the exception of the infants' school. I think there are more there of the children of poor parents.

3453. There are no free boys at present, I think?—
I do not think so.

3454. What is your personal opinion as to whether
this school is required, having regard to the existence
of Kibbles-place school?—I do not think it is. I am
not speaking of course of the Sunday school. Of
course it is desirable that there should be a Sunday
school in the parish, but I do not think there is any
occasion for the day school.

3455. Dr. TRAILL.—Is the school in Kibbles-place
full?—I do not know. I have not the statistics.

3456. Professor DOUGHERTY.—I suppose you do

not need the advantage of the Ralph Macklin endow-
ment to enable you to carry on the Sunday school?—
Oh, no.

3457. Dr. TRAILL.—Do you consider it an essential
part of the Ralph Macklin endowment that there
should be a Sunday school?—It is so stated in the will.

3458. Then you do not attach any importance to
the words "Tuesday and Sunday" as if it was "Thurs-
day and Monday"?—I think when he said Sunday
school he meant that there should be a Sunday school.

3459. Professor DOUGHERTY.—In the modern sense
of the word?—In the modern sense of the word.

March 24, 1885.

Rev. Charles
D. Russell.

Rev. S. C. Hughes sworn and examined.

Rev. S. C.
Hughes.

3460. Lord Justice FRANKLIN.—How long have
you been curate of St. Werburgh's?—Nine years.

3461. And I believe your parish of St. Werburgh's
is amalgamated now with the parish of St. John's?—
Yes; I was curate of St. John's previously.

3462. And they are parishes in a poor and thickly
populated part of Dublin?—Yes.

3463. How many of your children, in round num-
bers, attend the Ralph Macklin school?—Six or eight,
including boys, girls, and infants.

3464. You have got schools of your own in the
parish?—Yes, very large schools.

3465. What is your opinion as to the necessity or
utility of the Ralph Macklin school to the parish of
St. Werburgh's?—Well, my lord, if Canon Greene at
the time of the amalgamation, and I as his curate, had
known that we had some slight interest in the Ralph
Macklin endowment, we should probably have made
an offer at that time to amalgamate, but owing to not
knowing about the Ralph Macklin endowment, we
then amalgamated our schools with Dr. Leaper's of
St. Andrew's, and we are working there the joint
schools under Canon Greene and Dr. Leaper.

3466. And have you any endowment?—We have;
in round numbers near £300.

3467. Is that the amalgamated endowment of St.
John's, St. Werburgh's, and St. Andrew's?—St. John's,
St. Werburgh's, St. Nicholas Within, St. Andrew's
and St. Michael's.

3468. And there is an existing endowment of £300
available as a parochial endowment of those five
parishes?—Yes.

3469. Where are your schools?—In Fishamble-
street.

3470. What numbers are there attending there?—
200.

3471. Are these all Protestant children?—I think
there is one Jewish child. That is the exception.

3472. Then is the Ralph Macklin school of any
material use to your parish?—At present, no.

3473. Professor DOUGHERTY.—Have you any
provision for free pupils in your school in Fishamble-
street?—Yes, all the clergy interested in the schools
together have the power of remitting the fees.

3474. Lord Justice FRANKLIN.—Have your govern-
ors been considering their rights with regard to the
Macklin endowment since 1885?—Yes, my lord,
I can tell you the history of that. A rumor came
out that pressure would be put upon our schools, and
then Canon Greene gave me a copy of this resolution.

3475. Lord Justice FRANKLIN (reads document
relating to proposal considered on March 10th, 1885).
—The idea suggested in March, 1885, was that your
united parishes should take the place of St. Ann's
parish, by providing a house, and paying £150 a year?—
Yes.

3476. What was their answer to that proposal?—
That they were willing to accept of the general prin-
ciple, without pledging themselves to details.

3477. What would that £150 come from that you
proposed to pay?—Our endowment.

3478. Then you proposed to hand £150 out of your
endowment in order to get £216 from the Ralph

Macklin endowment?—Yes; we would not have spent
the whole of it.

Dean Dickinson.—A balance would have been left
over for prizes, results fees, and extra expenses.

3479. Lord Justice FRANKLIN.—But it would
have given you an additional endowment for your
school of £66 a year?—Yes.

3480. Was there anything further done upon this
proposal than to say that they would accept the prin-
ciple?—It was communicated to the Ralph Macklin
board.

3481. What did they do on it?—They refused.

3482. Lord Justice FRANKLIN.—How did this
proposal originate?—It originated from a conversation
of the Dean of the Chapel Royal and Canon Greene.

3483. It did not originate from the Ralph Macklin
trustees?—In fact, it was drafted by the Dean of the
Chapel Royal.

Dean Dickinson.—It was a very good suggestion
and I quite shide by it.

3484. Dr. TRAILL.—At all events the proposition
was one obviously favorable to you?—Yes. We are
obliged to supplement our endowment by sermons.

3485. Professor DOUGHERTY.—And your parish is
a poor parish?—Yes.

3486. Lord Justice FRANKLIN.—Have you got a
class of really poor children in your parish sufficient
to utilize the Ralph Macklin endowment?—Along
with our present endowment and our subscriptions
from the public.

Mr. Somersclark.—This was discussed at our board,
and they did not think that they could utilize our
endowment with others—that they had as much
money as they could utilize.

3487. Dean Dickinson.—Was not the question of
the admission of the rectors of the parish to the joint
administration of their schools one of the points on
which they refused?

Mr. Somersclark.—We did not think it practicable
at all.

3488. Dean Dickinson.—Was not that the principal
ground of objection stated at the Board?

Mr. Somersclark.—Certainly it was not.

3489. Dr. TRAILL.—Do you object to the rectors?

Mr. Somersclark.—I think it necessary to object to
some of them.

Dean Dickinson.—I will explain why St. Andrew's
parish was not adopted in preference to the suggestion
of St. Werburgh's. When we first proposed that this
school should be moved down to this district it was
my earnest desire that it should be placed in the centre
of St. Andrew's parish, not in St. Ann's, and I brought
the proposition before a meeting of St. Andrew's
parish, and did all I could to persuade them to move
the school from Camden-street, it being Archbishop
Lee's earnest desire that it should be moved from his
parish, where he said it was a nuisance to him—I am
quoting his very words—and to have it moved to St.
Andrew's parish; but St. Andrew's parish authorities
would have nothing to do with the matter.

Rev. Dr. Jelf.—I did not think the suggestion of
moving the school came from the Dean.

March 18, 1866.

Rev. R. C.
Hughes.

3495. Lord Justice Fitzgerald.—(To Canon Jellat).—You are rector of St. Peter's?
Rev. Dr. Jellat.—Yes.
3496. Lord Justice Fitzgerald.—And this was at one time in your parish?
Rev. Dr. Jellat.—Yes.
3497. Lord Justice Fitzgerald.—Do you wish to

give us any information with respect to its removal from St. Peter's or its utility where it is?

Rev. Dr. Jellat.—All I can say is that I am sure it is attended by respectable children, and that children go to it from St. Peter's Parochial Schools on the belief that it is a more respectable school.

Very Rev.
Herbert H.
Dickinson, D.D.

The Very Rev. Herbert H. Dickinson, D.D., Dean of the Chapel Royal, sworn and examined.

3498. Lord Justice Fitzgerald.—You are vicar of St. Ann's?—Yes.

3499. And also one of the managers of Kildare-place College, and of what they call the Protestant Schools there?—Yes.

3500. And you have also taken a considerable amount of interest in the Ralph Macklin schools for some time?—I was, at one time, a governor.

3501. What is the title to the house in which the Ralph Macklin School is at present held?—Well, I will tell you that. The school-house was built in part by a sum of money which was saved by my predecessor, now Dean of St. Patrick's.

3502. That is the £1,100 or £1,300 that has been mentioned before?—Yes. In addition to that I personally collected further subscriptions in the parish, and with donations from myself, I built the school.

3503. When were those schools built?—In the year 1858.

3504. From 1858 to 1874, when the Ralph Macklin School came into the place, how were they worked?—Simply as parochial schools, by annual subscriptions and collections in the church.

3505. Having the endowment of the building?—Yes.

3506. And having no other endowment?—No other.

3507. As regards the building, how is it held?—The building is held by the parish and it was vested in trustees.

3508. But do you know anything of the title?—I was just going to say that the schools were vested in three trustees, Mr. William Digges Le Touche, Mr. Kincaid, and myself.

3509. Under what?—Under a resolution of the then governors.

3510. You must have got some conveyance?—No; I do not think there was any formal deed. I have never been able to find it.

3511. What is the ground on which it was built?—Oh, that we have the title deed of. The ground on which it was built was purchased by the parish. It was a waste piece of ground which was purchased from Mr. Moyers, and I have the title deed of the ground on which it stands.

3512. But to whom was the site conveyed?—I have the title deed. It was conveyed to Mr. Kincaid, myself, and Mr. Le Touche.

3513. And Mr. Kincaid and yourself are still alive?—Yes.

3514. And you are the surviving trustees of the site, and *voilà tout* *fin* *est* *un* *ad* *co* *des*, and therefore the house is yours?—Yes.

3515. Then you hold it in trust for the parish?—Yes. The site was bought in the Landed Estates Court.

3516. And how was the site paid for?—By the parishioners, with a portion of that £1,100.

3517. And the money that was saved was school money?—No, it was parish money and the result of savings by my predecessor, Dean West, who had put by some money out of the offertory to the credit of the parish generally, and the parish considered itself at liberty to purchase the site. We bought it from Mr. Moyers for £450, with a title under the Landed Estates Court.

3518. Then the title under the Landed Estates

Court includes both the site of the schools and also the site of the Moleworth Hall?—Yes.

3519. There is a charge for interest?—What has been done in the way of charging that interest is this: We built the Moleworth Hall by borrowed money, £2,000, and the trust mortgage is held by the Charitable Municipal Loan Fund. It is being paid off at £120 a year, interest and principal, and it is always set down in our annual report. We are paying it off by disbursements with the rest of the officers and holdings of the hall.

3520. Dr. TRAILL.—How much remains unpaid now?—About £1,300. The Moleworth Hall derives a profit of £150 a year from rent of offices and hire of the Hall, and we are subject to about £150 in respect of the Moleworth Hall for the repayment of principal and interest, and that will be, when it is all paid off, a sort of parochial endowment.

3521. Lord Justice Fitzgerald.—Then Moleworth Hall pays its own expenses?—Yes.

3522. And pays an annual instalment by way of rent?—Yes.

3523. How many years has that to run?—About twelve years more. I cannot exactly say. I think about twelve years.

3524. You will then hold Moleworth Hall and the school-house free of rent?—Yes.

3525. For ever?—For ever, yes, under the title of the Landed Estates Court. Then I ought to mention that when we leased this house to the Macklin School Governors we, the parishioners, supposed that we were still the legal trustees and had a right to lease it, but after that memorandum to which Mr. Twigg referred we thought it necessary to lay a formal one before Mr. Campbell as to the two points—as to the obligation of the parish to continue paying that £150 a year, and also as to the validity of the lease. As to the contract to pay the £150 a year, we knew that that was always in the nature of a conditional contract, and it was so understood by the Commissioners of Charitable Donations and Bequests at the time.

3526. What do you mean by conditional?—I mean a conditional contract to pay out of parochial funds, and as we had no parochial endowment, that must pay out of such funds as might be at our disposal. It is stated here that we carried out year by year the will engagement, though the funds fell short, and the consequence of having paid all those ten years that supposed debt out of funds non-existent, was this, that the amount due by the parish to our bankers stands at present at over £2,000.

3527. What do you mean by at present?—I mean the beginning of this year, 1865. On this the Select Vestry are obliged to pay interest at 5 per cent. In point of fact, the Select Vestry has been paying for the school expenditure to a large extent by overdrawing their bank account. At the time when the blow of disestablishment came we had invested ourselves in a debt for the building of the church front and vicarage house which was to be paid off by annual instalments, spread over many years, but then when the additional demand came for a sustentation fund and all these things, we found that it was not possible to get in these promised instalments, and we paid off the debt on the Church Alteration Fund gradually, as we could, out of special collections and out of the weekly offertory, and according as we were doing that, Parochial Assessment Fund became deficient, and in

that way we incurred a debt in the keeping up of the schools. There was a consolidated account with the bank, called the Parochial Assessment Fund, which was charged with the maintenance of the schools and church fabric, payment of church necessities, and general parochial expenses, and from not having a furthering available from the church offertory during that period we contracted a debt, and so we came to look this conditional contract in the face. A whole state of new circumstances had also arisen. A new school had been established. I never had been able to encourage the children of my own parish to go to the former school in Kildare-place, because it was conducted on the principles of the Church Education Society, with the principles of which I could never coincide, because it was in antagonism to the principles of the National Board system, of which I have always been an advocate. Well, circumstances had arisen which were quite new, in the establishment of a new and thoroughly efficient school in Kildare-place, and then we were face to face with the fact—

3522. Dr. TRAILL.—What year was that?—In 1863 and 1862; and we were face to face with the fact that we were not paying the Macklin Governors at all out of parochial contributions—

3523. Lord Justice FRANKLIN.—But out of borrowed money?—But out of borrowed money; and I thought that was not a right thing to go on doing, and so I state in this paper the Select Vestry have been paying a large expenditure by overdrawing their account. Independently of voluntary subscriptions the Select Vestry had absolutely no parish funds at their disposal for school purposes. I admit a debt of £60 due to the governors of the Macklin School for repairs. I need not read, Mr. Twigg has read already, the resolutions of the General Vestry and the Select Vestry, that the parishioners becoming aware of a thoroughly efficient school established in the next street, did not think they ought to be called upon to subscribe any more to the maintenance of a school the need of which was superseded by circumstances and circumstances independent of the governors and of the vestry; and there were no means on my part or on the part of any one of compelling the payment of voluntary subscriptions. But I want to draw the attention of the Commissioners to a very important matter. When that lease was made to the governors of the Macklin School, we supposed that we (the trustees) had a right on the part of the parish to make that lease, but when we referred the question to Mr. Compton—the twofold question whether the Select Vestry were legally bound to continue that payment of £150 a year, and whether we were personally liable—he replied that we were not personally liable, and that the contract was in the nature of a conditional contract to pay out of such contributions as might be placed at our disposal for that purpose. The points referred to here were whether the lease of the 6th of August, 1874, was a valid lease binding on the Select Vestry of St. Ann's parish, and secondly as to the liability of the Select Vestry to continue paying that £150, and generally as to their rights and liabilities. In his opinion, dated 6th August, 1886, he says, "I should have been glad to have had some additional information as to the instrument by which these premises became vested in the trustees, and the trusts and powers accompanying that instrument. On the above facts I am of opinion that the lease, strictly speaking, is not a valid lease, legally and continuously binding on successive select vestries. It is an allocation of trust premises by way of lease for twenty-one years to an external body with an express declaration that the school and premises shall neither directly nor indirectly be treated as in connexion with the parish church." (reads counsel's opinion to end).

3533. Lord Justice FRANKLIN.—The upshot of that opinion is just this, that you and Mr. Kincaid and Mr. McTear, being the persons in whom the legal estate was vested, conveyed that legal estate by this lease?—Yes.

3531. But now I understand that the vestry and parish have been paying this £150 by getting into debt?—Yes.

3532. And are in debt?—Yes.

3533. And that there are no funds available?—No; and we are obliged to pay up the Equitors of the Munster Bank.

3534. In whom is the mortgage vested?—The Munster Loan Fund.

3535. The instalments have been paid?—Yes, up to 1885.

3536. And then the mortgagees have no power to interfere with the possession?—No.

3537. That being so, what do you propose to do with the property and building?—Well, we should still require the place for a Sunday-school, for, at all events, there is no doubt that this Sunday-school in no wise depends upon the Ralph Macklin Governors, but on myself personally. It is by my personal influence that all the teachers are got into the Sunday-school.

3538. What is your proposal with respect to this building, having regard to the covenants of the lease?—I wish to say a word about the position, my lord. Mr. Compton stated in that opinion that it is not competent and would not be a right thing for any of the parties to the contract to disturb it, and therefore in that document which Mr. Twigg read I said it was not our intention; but I cannot answer for the next vestry. Perhaps the whole constitution of the select vestry may be changed, and another select vestry would not consider itself bound by that contract in the slightest degree; and if I were to do to-morrow my successor would not be in the least bound by it; and furthermore, the place used as a playground by the children of this school is a churchyard, which is my temple, and which might be closed to-morrow. It is not included in their lease, and it is in my power if I pleased to do it to-morrow to close up that part and to refuse the children any access whatever to the churchyard, which by my permission is used as a playground, but which permission might be withdrawn at any moment. That shows that the co-operation of the vicar is necessary, because without his consent that place cannot be used as a playground, and without a playground the school cannot be carried on.

3539. Lord Justice FRANKLIN.—What is included in the lease as "the premises bounded by the graveyard?"

3540.—All the area was a graveyard; from the school house round to where the vicarage house is built.

3541. Lord Justice FRANKLIN.—What is your view with regard to this endowment?—My view is this: I told you before that Archdeacon Lee repeatedly said to me, "I wish you would move the schools away from Camden-street, from my parish, for I think it is a most objectionable thing that there should be any schools in my parish in which the rector has no control." I only give my testimony that Archdeacon Lee said that to me more than once. Well, then, when that disestablishment came I felt that the time had come, and I took several occasions to state it, when these educational establishments should be consolidated and grouped if we were to hold our own at all, and also finding it impossible to connect my own parochial schools with the National Board on account of the strong opposition of the Select Vestry. I saw we had three courses before us—either to keep up the schools from parochial subscriptions, the very maximum of which was £200 a year, or to effect a junction with the National Board, which was practically impossible, or to get some other school to join with us; and then, having been willing to have a school jointly with St. Andrew's parish, but failing in that, I thought of promoting a union with the Ralph Macklin Schools. I made then a very great mistake. I suppose I have made a great many mistakes in my life, and this was one of the greatest. My mistake was not making it a necessary condition that as rector of the parish I should be assisted in the management of the schools.

March 24, 1886.

Vary Rev.
Herbert H.
Dickinson.
D.D.

March 15, 1882.

Very Rev.
Merrill R.
Doddams,
D.D.

For years and years things went on just as before. I catechized regularly in the schools—as regularly as my errors, and managed everything in the schools just as before, and I remained responsible for all the expenses of the school prizes and school fairs, and everything of that kind, and it was not till some disturbing element arose in the governing body that all that came to an end.

3541. Dr. TRAILL.—What year was that?—About three years ago. The position was then changed, and I was told one day by one of the governors that I had no status whatever in the schools, which are in my parish, and in a house built largely by my own exertions, and that I had no right whatever or locus standi to appear there.

3542. It does not appear that you had!—I know that I had not.

3543. Professor DOUGHERTY.—Was this action on the part of the governors coincident with the expression of your desire that children should go to Kildare-place School?—No, it was before it, but I take a larger view than the parochial one, and it is in the interests of education that I am in favour of the Kildare-place School.

3544. Dr. TRAILL.—If the word "curate" included "incumbent," you would have been all right—I was always of opinion that legally that opinion of Mr. Perrin was wrong, and that the curate implied the rector. I see now in this scheme that they propose—I do not anticipate that there will be much probability of this scheme being adopted, if it was, I should protest against clause 2, as rector of St. Ann's parish. I think it an extraordinary thing that the three parishes in which the rectors are to be excluded, should be St. Ann's, St. Andrew's, and St. Werburgh's, because if the schools should be moved to any other parish, they may have the incumbent, but it is proposed, that not only I personally, but the incumbents of St. Ann's, St. Andrew's, and St. Werburgh's, for the time being, shall be, by a sort of hereditary disqualification, for ever unfit to take any share in the management of the school.

3545. Lord Justice FITZGERALD.—They say that the board may co-opt the obsequious of any other parish in Ireland, except St. Ann's, St. Andrew's, and St. Werburgh's?—Yes; I protest also as rector of the parish, against clause 7, that the Sunday school shall be conducted by such obsequious of the Church of Ireland and other teachers, and in such manner and at such place from time to time as the board shall approve. You know it is quite within my power, as rector of the parish, to use my persuasion with the children of the parish to attend what I honestly believe to be the best school in the parish. I have never from beginning to end, concealed from the governors of the Ralph Macklin School, anything that I have done. I did speak to several of my parishioners, and say, "If you ask me what school you should send your children to, in my judgment the best schools in the parish are the Kildare-place National Schools." In November last there were only twenty children of the parish attending the schools. I have not since that time spoken to any of my children on the subject of attending the schools or not, but I do not hesitate to say openly, that if these schools are continued in that place, I will endeavour to withdraw the children of my parishioners from the Ralph Macklin School, so as to bring their numbers below that at which they can expect a grant. I hold that I have the care of souls in my parish, and it is my absolute duty to persuade them to go to the school which I believe to be the best, and I do not think I can be excused from that duty.

3546. But suppose the word curate was held to include incumbent?—No; I object altogether to the constitution of the Board. If you look back to the former minutes, signed year after year, you will find not one member of the Ralph Macklin Board took any interest in these schools, and it was not till matters of controversy arose between them and the

select vestry that any real interest was manifested by the Governors of the Magdalen Asylum. Now, in the Kildare-place schools there are on the roll—boys, 169; girls, 210; infants, 120—total, 499. I got this return this very day. The number that can be accommodated in Kildare-place Schools is over 800, so that there is room for nearly 300 more than what there is in it, and there is ample accommodation for all the children, not only of St. Ann's parish, but of surrounding parishes. A great number of the children attending the Ralph Macklin School come from St. Peter's because of the master, as they have got a very excellent master, who was formerly in St. Peter's. It was my desire in the interests of the poor generally, that the endowment should be transferred to a poor part of the city. It was mentioned by Mr. Hughes, that the suggestion about St. Werburgh's School came in part from me, and so it did. I put before them this: you accepted a contract with St. Ann's on a very precarious condition, namely, to pay you £150 out of contributions that might not be forthcoming at all; but here if you go to St. Werburgh's, as they have an endowment of £200 a year, you have no such contingency to fear. You will be certain of that contract being carried out. It is not contingent but absolute. Secondly, you will be placing your school in the very heart of the city amongst the poor, and you will be transferring yourselves from a place where you were no longer necessary, but are a hindrance to education rather than a help. This morning I received testimony from the Kildare-place schools that the proximity of the two schools in adjoining streets is injurious to the discipline of both, and I have had frequent experience that parents take heart at something in one and threaten to send off their children to the other. I think this school is not only unnecessary but prejudicial, and I believe this Education Commission is appointed principally to consolidate and to group and so utilize existing endowments, and therefore press very strongly that the Ralph Macklin endowment—I press very strongly that it should be attached to Kildare-place. If not, it might with advantage be moved to St. Peter's, or to St. Werburgh's with greater advantage, to the very heart of the city where it will be likely to continue to be wanted.

3547. Lord Justice FITZGERALD.—Who was the Rev. George Blacker?—The Rev. George Blacker was formerly curate of St. Andrew's, and then he became rector of Maynooth parish.

3548. What was his first association with the Ralph Macklin schools?—As curate of St. Andrew's.

3549. Then he was one of the three original trustees?—Yes.

3550. In the old minute book the trustees are stated to be the Rev. George Blacker, William Dwyer La Touche, Rev. Samuel Moore?—He had been former curate of St. Andrew's.

3551. What was the connection of Mr. La Touche?—He was Governor of the Magdalen Asylum?—Yes; He was Governor of the Magdalen Asylum and do not find that anybody attended at this place except the Curate of St. Ann's, Mr. La Touche, and on one or two occasions Mr. MacMahon.

3552. Professor DOUGHERTY.—Is this Mr. MacMahon who is a Governor of Phoenix Asylum?—Yes; these governors finding themselves on-officio governors naturally enough took little interest in the institution, and it was not till matters of controversy arose with the Select Vestry that this enthusiasm of attendance arose, on the part of a certain few.

3553. Lord Justice FITZGERALD.—It appears to have commenced in 1834, or thereabouts, and from 1834 down there is a considerable attendance?—Yes, a considerable attendance, because there were then these matters of dispute.

3554. Do you know anything of the children who are attending the Ralph Macklin school from your parish?—Oh, yes.

3555. What class of children are they?—They are

mixed. A great many of the infants are poor, but some of the others are very well-to-do. One person who has got a very good house in Kildare-street, who rents a whole house in Kildare-street, sends his children there.

3552. Who has the appointment of the master?—My testimony before a former Commission has been quoted as to the schools being satisfactory. After I gave that testimony there was a sudden decrease in their efficiency. The master of the schools took to drink, and, taking to drink, took to a great deal else which was bad, and took to robbery, and the numbers in the boys' school came down to about fifteen. I then said to two gentlemen, I mean my two comrades, "If you don't dismiss that master who is so totally inefficient, and has brought down the schools to nothing, I will bring the whole question of these schools before the Board of Charitable Donations and Bequests," because the clause of the contract was "so long as the schools shall be efficiently conducted," and I said "They are inefficiently conducted, and if you don't dismiss this master and have the school efficiently conducted, I will bring the whole case before the Commissioners of Charitable Donations and Bequests, and have that contract broken." And then the master settled the question by desamping.

3553. That was the case in which the defalcations occurred?—Yes; he desamped one morning to America with all that he could lay his hands on, and he took more than what he found here, because he was connected with another institution which he robbed to the extent of £100.

3554. They have had a very efficient master since?—Yes, they have a very efficient master now.

3555. Mr. Twigg, q.c.—And the schools were very efficient up to the time of the discovery of the master's defalcations?—Up to a year or so previous.

3556. Lord Justice Fitzgerald.—Is it your proposal to shift them over to St. Werburgh's?—That would be best, unless they are transferred to Kildare-place.

3557. If Ralph Macklin intended the benefit to go to St. Ann's, St. Andrew's, and St. Werburgh's, why do you propose to send it all off to St. Werburgh's?—Because we don't need it in St. Ann's.

3558. But Mr. Hughes has given his evidence clearly upon that. They have got a very good endowment, and are getting on very nicely, though they would be very glad to have your money?—I think if you take the financial position of St. Werburgh's, and the payment of results fees and masters' and apprentices' fees, £200 a year is not very large.

3559. Is there any other application of the fund that you would suggest?—The nearest to that, perhaps, would be the Kildare-place Training College, because, as I mentioned in that statement which I took the liberty of sending in, it is a large school, not parochial, but takes in children of the whole north side of the city, and, therefore, I thought, and if I were myself a Commissioner, I should think that that was the nearest approach to the carrying out of Mr. Macklin's will, because it would take in the whole north side of the city.

3560. And what would you do with the buildings?—Keep them for Sunday Schools.

3561. And leave them empty all the week?—No. There are several parochial purposes. In fact they are connected with Moleworth Hall by a door-way, and we want two more rooms in Moleworth Hall for relieving rooms, and they could still be used as buildings for educational purposes, such as technical teaching.

3562. Professor DOCUMENT.—What do you think was meant by "poor" in the will?—Poor children.

3563. Do you think that the Governors have kept the object of the testator sufficiently in view?—I do not like to say what they have kept in view.

3564. Mr. Twigg, q.c.—One you suggest any way of bringing the poor to it more than by giving them free admission?—No; I do not attach any blame to them as to having an open school to all who come from the neighbourhood.

3565. Professor DOCUMENT.—I understood that one ground of your proposal to remove the schools to St. Werburgh's was that St. Werburgh's was a comparatively poor parish, while yours was not?—Yes, I have some Protestant poor in my parish, but not nearly so many as St. Werburgh's.

3570. Lord Justice Fitzgerald.—Is not St. Andrew's worse provided for education than yours?—Yes.

3571. Mr. Twigg, q.c.—Is it not within ten minutes' walk?—Yes; it is not inconvenient to the children.

3572. Dr. TARRANT.—Are there any buildings in St. Andrew's parish to which it could be removed?—No.

3573. Professor DOCUMENT.—Do you object to dividing this endowment?—I do not care very much what you do with the endowment so that you take it away from St. Ann's.

3574. Rev. Dr. MONTAGU.—I think we had already gathered that from the previous part of your evidence?—I meant it to be gathered.

3575. Rev. Dr. Jellett.—Why do you think that St. Ann's, St. Andrew's, and St. Werburgh's, were the only places that he had in view when he made his will, for I would argue from the fact of the trustees under the will being the governors and governors of the Magdalen Asylum that he meant to include St. Peter's?—Witness—I should be very glad if you would take the endowment to St. Peter's.

3576. Lord Justice Fitzgerald.—You think that St. Ann's parish does not want it and would be better without it?—A great deal better without it.

3577. Have you any idea of what is the value to the Ralph Macklin endowment, of the lease they have got against you for nine years?—If the lease is not valid it has no value.

3578. But if it had a pecuniary value?—I cannot determine that. The very object of asking a conference four times with the Ralph Macklin governors was to come to some practical arrangement on that very point, but they persistently refused to allow any conference between the Select Vestry and themselves; one object of that conference was to see what would be just to pay on the removal of the school.

3579. What is the good of arranging compensation, however limited, considering that the Select Vestry have no money at all?—I would have raised a special subscription to do that.

3580. Dr. TARRANT.—The difficulty appears to be that the old schoolhouse in which they were formerly appears to have been sold?—Yes.

3581. And then the great difficulty is that you brought them there and put them into the house, and you cannot reasonably ask them to go out without showing some other place they are to go to?—I stated as the Vestry that I would be no party to disturbing them; having been a party to the contract, right or wrong I was ready to abide by it, but if I were to die to morrow my successor would not be bound by it.

3582. Professor DOCUMENT.—Would it not be an effectual way of disturbing them to persuade your children not to go to the school?—Yes, and I may have to take that way.

3583. Rev. Dr. MONTAGU.—I see in the memorandum you have given in that you are prepared to continue to extend educational advantages to children of all denominations. You have at the schools children of all denominations?—Yes.

3584. And have you made any provision for their religious education?—No; there is a sentence clause, but there is no provision whatever for any religious instruction of other denominations.

The Dean of the Chapel Royal.—I wish to hand in a written statement in supplement of my evidence touching the buildings. This written statement I wish you to consider as subscribed on oath and as part of my sworn testimony. *(Document handed in.) I want you to understand that the buildings are not strictly a school or educational endowment, but a parochial endowment.

Attest 25, 1885.
—
Very Rev.
Hercules H.
Macklin,
D.D.

ST. PETER'S PAROCHIAL AND WRAY SCHOOLS.

March 15, 1865.
St. Peter's
Parochial and
Wray Schools.

Mr. W. Richardson sworn and examined.

Mr. W.
Richardson.

3585. Lord Justice Fitzgerald.—What is your connection with this inquiry?—I am in the firm of Meade, Collins and Company, who were employed to prepare the scheme.

3586. And have you the papers before you connected with the endowment?—Yes.

3587. Did you prepare the abstract of documents which has been sent in?—I did, my lord.

3588. I see that the first bequest on the list was Carey's bequest, under Patrick Carey's will of 18th December, 1827, by which he gave certain property equally for the support and maintenance of one school for the education of children professing the Protestant religion, and one other school for the education of children professing the Roman Catholic religion, and that both such schools should be in the parish of St. Peter. What is the fund that now comes in from that endowment?—£13 10s. a year, paid by the Archdeacon of Dublin.

3589. And the remaining £13 10s., the other half, goes to the Roman Catholic schools in the neighbourhood?—Yes.

3590. Lord Redesdale's grant is the next, for which the trustees get £2?—The only evidence as to that is the minute. I have that minute, 28th February, 1807. (Reads.)

3591. Then the Southwell bequest?—Yes. Under the will it was originally £1,250, of which the interest is divided among a great many. I wrote to Mr. Hughes, the curate of St. Werburgh's, who receives the money.

3592. Who pays Lord Redesdale's grant for the school?—

Rev. Dr. Jellett.—The Board of Examiners Smith.

3593. Lord Justice Fitzgerald.—They have the fund?—

Rev. Dr. Jellett.—They have it.

3594. Lord Justice Fitzgerald.—And who pays this other bequest?—

Rev. Dr. Jellett.—The churchwardens of St. Werburgh's.

Witness.—Mr. Hughes receives the money. The trustees under Southwell's will are the incumbent and churchwardens of St. Werburgh's, and they are bound to make payment for the time being to him.

3595. Lord Justice Fitzgerald.—The parishes of St. Andrew's, St. Andrew's, St. Bridget's, St. Catherine's, St. James's, St. John's, St. Mary's, St. Michael's, St. Michael's, St. Nicholas within, St. Nicholas without get equal shares, and £3 6s. 6d. was given to the Poor Courts Marshalles. How much is St. Peter's share from that?—£1 2s. 6d.

3596. The Skelington bequest?—I could not find any papers which would show how the Skelington bequest was originally left, but the statement of the income of the schools is not exactly correct. It is correct so far as it goes. It states that the money was lent to St. Peter's parish for the improvement of St. Peter's Church, and that it had to be given back, as the parish was liable to pay interest at 5 per cent., but it appears that after it had been paid back it was invested in purchasing the head rent payable out of the school premises; so that no income now remains from that Skelington bequest at all, because it was absorbed in buying up the head rent.

3597. So that the head-rent was extinguished by it?—It was; the head-rent, the perpetuity, it was held under a bishop's lease.

3598. Then the Skelington bequest has been invested on the premises?—It is, my lord.

3599. Are there all the money funds?—There are no other money funds.

3600. And the houses, 1, 2, and 3, Bishop-street, 4, Bishop-street, 29 and 29½, Kevin-street?—Those

are all held under the will of Mr. James Daniel, and the attested copy of that will has been lodged along with the others.

3601. That bequest is to the churchwardens of St. Peter's parish, and their successors, to be applied to Protestant schools in the parish for ever?—Yes.

3602. What does that produce?—No. 1, £28; No. 2 and 3, £26; No. 4, £33 12s. 8d.; and the house in Kevin-street, £25 4s. That is £110 10s. 8d. altogether—gross rental.

3603. In No. 4, Bishop-street an interest was purchased in 1845?—A head-rent was purchased.

3604. What is the interest in No. 4, Bishop-street, purchased in 1845?—A perpetuity subject to the rent of £15 8s., now payable.

3605. Where was the money derived from that bought that?—It does not appear from the minute where the money was obtained from, but Chas. Jellett says it was raised by subscriptions from the parishioners.

Rev. Dr. Jellett.—With part of the Skelington bequest and some money in hands.

Witness.—The minute does not mention anything, except a letter received from a solicitor, offering the head-rent for a certain sum.

3606. How much?—The consideration was £238. The head-rent was £43 3s. 4d. and £13 8s., a new paid as a superior rent.

3607. Then it was the middleman's rent that was bought up?—It was. £48 3s. 4d. was extinguished.

3608. And that was partly out of some of the other endowments, and partly out of subscriptions?—Yes.

3609. And the schoolhouses are held by lease of 21st May, 1813?—That was the old schoolhouse, 18, Camden-street, which is not used as a schoolhouse, but let to the representatives of Mr. Harris, in perpetuity at £30 a year. That is derived originally from the executors of Mr. John Hatch who in his life made a promise to the ministers.

3610. In this the promise recited in the lease?—Yes.

3611. That he would grant a long lease for a school belonging to the said parish to be created there?—Yes. The only information I could give as to that is the recited in the lease.

3612. It is executed by his executor?—It is, and the perpetuity was taken out in 1831.

3613. And these premises are now let at a rent of £30?—They are. The site was given by Mr. Hatch's executors at a pepper corn rent.

3614. What are the No. 8 premises?—These are the present school premises. They are subject to £27 13s. 10d.

3615. £30 Irish, under lease of 20th January, 1845, to the Incorporated Society?—That lease is not among the papers. Then comes lease dated in 1842, twenty years, a bishop's lease.

3616. Who are the lessors?—The Venerable John West, M.A., and E. S. Trevor, of Leeson-street, churchwardens of the said parish. I have afterwards a perpetuity grant dated 1878.

3617. And there was £543 paid as a fine for that?—Yes.

3618. And that was partly raised by subscription, and partly a sum of £100, contributed by Mr. Wray's trustees?—Yes.

3619. Lord Justice Fitzgerald.—Then there is a ground rent, paid by Mercer's Hospital?—There does not seem to be any evidence whatever to show the title connected with that money.

3620. How much is it?—£24 a year, £12 half yearly.

3621. Mercer's hospital is built on the site of the

old St. Stephen's church?—I believe so, but there is nothing to show how that money is derived.

3622. How far back have you found the entry in the books?—I could not say exactly, but I was informed by Canon Jellett.

Rev. Dr. Jellett.—Originally it was £3, and by accretions it went up to £34, additional ground having been taken.

3623. Lord Justice FRYGEMAN.—There is a bequest of £100 from Clement Barry. That has been spent on the building?—That has been expended on the building. It was stated to me as £1,000, but on getting an attested copy of the will I found it to be £100.

3624. Whichever it was it has disappeared?—It has been expended on the building.

3625. Is that as far as you have ascertained, all the income enjoyed by these schools?—Yes.

3626. Is not the Wray school administered at present under a Chancery scheme?—Yes, and it is included in the minutes which Mr. Pilkington gave me.

3627. "To proceed by lease or otherwise a suitable portion of the premises now in the possession of the

rector and churchwardens of St. Peter's parish, in the City of Dublin, and known as St. Peter's schools, and establish therein a school for the instruction of poor children, and that such school shall be called Mrs. Wray's school, £4,500 to be invested." Where is the money of the Wray bequest?—It still remains invested in India 4 per cent. stock.

3628. In whose name does it stand?—Canon Jellett.

Rev. Dr. Jellett.—It is not in my name yet.

Witness.—But he receives the dividends every year, and applies them.

3629. Lord Justice FRYGEMAN.—Consols were sold, and there was bought £4,500 Indian 4 per cent. stock at 101½, costing £4,593 8s. 6d. I see £121 6s. 8d. cash was added to make up the consols to the amount of the the India stock. Do you know where that was taken from?

Rev. Dr. Jellett.—From savings.

3630. Lord Justice FRYGEMAN.—Then this is the amount of your endowment.

Rev. Dr. Jellett.—Yes, £180 a year.

March 13, 1891

Mr. W.
Richardson.

Rev. Reginald Geoffrey M. Webster sworn and examined.

Rev. Reginald
Geoffrey M.
Webster.

3631. Lord Justice FRYGEMAN.—You are one of the curates of St. Peter's parish?—Yes.

3632. Have you charge of the schools?—I am the honorary secretary.

3633. What actual duties do you perform in the schools?—I catechise in the boys' school and girls' school.

3634. What are the actual numbers in attendance?—The average attendance for 1885 was in the boys' school 52; in the girls' school 30; infants' school, 54; total, 146.

3635. Have you any return of the religious denominations of the children?—I do not think there are any children attending the schools not members of the Church of Ireland.

Rev. Dr. Jellett.—In the year 1885 there were several Jewish children.

Witness.—At present there are none, but out of that 164 I think there are three Jews or Jewesses.

3636.—Lord Justice FRYGEMAN.—And what staff have you there?—In the boys' school a master, and in the girls' school one mistress, and in the infants' school a mistress with two assistants.

3637. What salaries do you get?—The master gets £60 a year, and the mistress £50 a year.

3638. And the infants' school is conducted under Mrs. Wray's trustees?—Under Mrs. Wray's trustees. There is a boarding school as well, of which the master's wife is mistress.

3639. What are the numbers at present in the boarding school?—Nine boys and two girls at present. During 1885 ten boys and four girls.

3640. How are those pupils admitted?—Elected by the committee.

3641. Are they all free?—There are one or two paying boys.

3642. The payments do not cover their keep, I presume?—No.

3643. Rev. Dr. Jellett.—In addition to the master there are paid monitors.

3644. Witness.—In 1885 the monitors got in the boys' school £10, the mistresses in the girls' school £2.

3645. Lord Justice FRYGEMAN.—How at present do the Wray trustees conduct the management of the infants' school as distinguished from the other two?—The payments to the teachers are made by Canon Jellett in Mrs. Wray's school. The payments are made by Canon Jellett, and masters are brought before the ordinary meetings of the school committee.

3646. Rev. Dr. MORTON.—Is the school connected with the National Board?—No.

3647. Lord Justice FRYGEMAN.—Have you had any proposal to connect it with the National Board?—We have had.

3648. And what has been the result?—There is no decision come to up to the present.

3649. Is there any difficulty in becoming connected with the National Board?—No, I do not think there is. There has been a difficulty.

Rev. Dr. Jellett.—The constitution of the schools which were and had been strictly church schools; and we were waiting.

Rev. Morgan W. Jellett, M.A., sworn and examined.

Rev. Morgan
W. Jellett,
M.A.

3650. Lord Justice FRYGEMAN.—You are incumbent of St. Peter's parish, and manager of St. Peter's schools, and also of Mrs. Wray's school?—Yes.

3651. Are you ex-officio manager of the Wray school?—I am practically as Rector of St. Peter's.

3652. Are you as incumbent for the time being?—Yes, practically.

3653. What is the mode of management of the Wray school which is the infant school of three thirds?—The management is laid down in the scheme that is before you. The school is under the Wray Trustees.

3654. The Chancery scheme merely provides that the trustees may make such rules as are not inconsistent with the scheme for the management of the schools?—And the rules that they have made are those.

3655. (Lord Justice FRYGEMAN reads the rules.) Then the control of the school as a school is the same with that of the parochial school?—Except that the School Committee never interferes. They have made no regulation whatever. The infant school never came under the control of the school committee at all.

3656. It was regulated by the trustees?—It was regulated by the trustees.

3657. Who has the control of the two schools?—Practically the control of the Wray school has been under the control of the Rector of St. Peter's as acting trustee, subject to any regulations made by the body of trustees.

3658. Do I understand that both schools are practically under the control of the clergyman of the parish?—They practically are.

March 16, 1896.
 Rev. Messrs.
 W. J. J. J.
 M. B.

3650. The rule at present in force under the Court of Chancery is, as I understand it, that the trustees for the time being may make such rules not inconsistent with the scheme for the management of the school as it then may seem right. But the only rule that you refer to is on that point in the rule of 18th May, 1870, the school to be under the same control as the parochial schools, subject however to any regulation which the trustees may propose!—Yes.

3660. And you say they have not thought it necessary to make any further regulation!—No.

3661. Therefore the Wray school is now under the same control as the parochial school!—Yes. That depends on what you mean by the same control. Archbishop Lee in his incumbency was manager.

3662. Have you a school committee for the parochial school?—We have a school committee, but few members regularly attend except the clergy.

3663. Who attends to the business of the school?—The parochial clergy and hon. treasurer chiefly.

3664. Practically both schools are managed by the parochial clergy!—Practically they are.

3665. And I understand you to say that all the children now attending and on former occasions, with few exceptions—a few—are members of your church?—I believe so at present.

3666. Rev. Dr. McCall. I see that Mr. Patrick Carey provides that half his bequest should go to the establishment and maintenance of a school for Catholics. How is that carried out?—The Roman Catholic clergy of the National school in Whitefriar-street receive the half yearly, £15 10s.

3667. Lord Justice Fitzgerald. And you get the other half?—Yes.

3668. You receive your own and they get theirs!—Yes.

3669. Now, as to your proposed scheme, you propose to form a joint body of eleven as I understand?—Yes, that was the proposition.

3670. The rector, the two churchwardens and two curates to be five ex-officio members!—It was considered a matter of difficulty the forming any joint scheme owing to this that I am ex-officio trustee of St. Peter's schools and I am practically ex-officio trustee of Mrs. Wray's school. There is no obligation on the trustees of Mrs. Wray's fund to have that money for the benefit of St. Peter's schools for ever, and therefore I thought that if I took advantage of my position as trustee on both sides, people might think I was acting unfairly.

3671. Mrs. Wray by her will left this £4,500 to be employed by her executor in the establishment, foundation and perpetual endowment of a school for poor children, to be called Mrs. Wray's school and to be paid to four parties to be selected by him for that purpose, and she appointed Judge Longfield her executor!—Yes.

3672. And then under the Chancery scheme Mrs. Wray's school has been established?—Yes. Then it was suggested by an eminent member of the vestry that it would be desirable to amalgamate these schools, that practically it would be better to have one governing body. I was quite satisfied to have things as they were and to have St. Peter's schools under the management they have been, and to have the Wray's schools under the management they have been; but there being thought to be a difficulty about the legality of the corporation of the rector and churchwardens we thought it better to have a scheme, and this scheme has been agreed upon by the school committee, and I also brought it before the select vestry of St. Peter's and they approved of it as a suggestion of what might be done.

3673. Dr. TRAILL.—Why do you put in two registered vestrymen as well as two members of the select vestry, in No. 31?—That was, to have people outside the select vestry a limited body.

3674. But the select vestry are chosen by the general vestry?—Yes, they are; but the suggestion did not

come from me but from one of the select vestry as a good thing to do.

3675. Lord Justice Fitzgerald. "Two members of the select vestry of said parish; one registered vestryman of said parish, or if only one curate then two registered vestrymen." Are the two members of the select vestry to include the one registered vestryman?—Oh no; two members of the select vestry—beyond of course in addition one registered vestryman, making three. And if there be only one curate, then two registered vestrymen, thus making four vestrymen (select and registered) in all.

3676. Dr. TRAILL.—The select vestry include the clergy too!—They are not included in the four.

3677. Are all the clergy included in the four?—None are.

3678. Lord Justice Fitzgerald. Mr. Pilkington suggests that you put the Wray committee into a minority thereof?—I do not think he understands it. He is alluding to a different clause.

3679. He says "I think it unreasonable that the council should be so constituted that the Wray school trustees should always be in a minority"!—You will find that clause is taken that the Wray trustees are practically powerful in all relating to the Wray school.

3680. Independent in the management of their own school?—The money cannot be touched or the school interfered with except by the Wray committee.

3681. Dr. TRAILL.—And they have power to appoint and dismiss the master and mistress?—They have. They are practically the governing body for an St. Peter's committee in St. Peter's schools, and the idea of allowing a joint property is to decide for themselves. If they think proper to hand over their powers to a central council they can do so, but need not.

3682. Lord Justice Fitzgerald. Do you see any advantage in keeping up this distinction between two committees?—Well, the advantage was what I have just told you, that I, a trustee of Mrs. Wray's school and also of the St. Peter's school, as Mrs. Wray wished her school to be really separate, I did not think that I should advise that the whole fund should be amalgamated, the £4,500 handed over to a joint Board.

3683. Preserving Mrs. Wray's school as a separate school, as the infant school of the three, is there any advantage in keeping the governing body of that school distinct from the other?—There is not, unless the trustees wish it, and Mr. Pilkington as one of them does.

3684. Would it meet your views if the governing body of the two schools was one body and that they had the power of managing both; in other words, that the Wray trustees should have made up to them whatever they would lose in the independent management of their own school in the duties shared by them as helping to manage the other?—I have no great objection, though I do not see much gain to the Wray school.

3685. Mrs. Wray's school would be kept up by her endowment as a separate institution, but they would be all placed under one body. Is not the Wray school in a building belonging to St. Peter's?—It is.

3686. And I suppose there might be some difficulty about appointing the master of one and not of the other?—There never has been any difficulty yet. Practically the committee would not appoint to the St. Peter's parochial schools any person whom the clergyman would not like, so that in the same way the clergyman, so long as permitted to act for the Wray trustees, would not appoint to the Wray school any person whom they would not like.

3687. He is ex-officio!—Not really, but he is practically.

3688. Dr. TRAILL.—It does not apply so much to the case of appointing as of dismissing the schoolmaster, and would your clergy have the power of dismissing the schoolmaster, for I have seen some trouble in the case of dismissal without appointing?—It is quite true. I do not think the clergyman would undertake to dismiss the master or mistress of St. Peter's schools.

3689. But if the clergyman would undertake to get the matter dismissed?—That case would hardly occur in St. Peter's. Now as to the Wray school, the acting trustee was Archbishop Lee, as rector of St. Peter's. I succeeded him as rector, and I appointed two teachers of the Wray school, and I consulted nobody, and would dismiss them without consulting anybody. I asked the question when I became trustee had I such power, and was told that I had, not by resolution but by precedent.

3690. Dr. TRAILL.—If the joint body is to have control of the Wray school you could not do that in the future?—I could not.

3691. Lord Justice FRANKLIN.—What is the object in this case of having your council to consist of two committees?—The object was to preserve to the Wray committee a power of control over the Wray school. That was the only object.

3692. And if the Wray committee were given what they would regard as an adequate voice upon the whole council as regards both schools would you think it necessary to keep up any distinction between the two committees?—I would not.

3693. Do you think it would better, or that it would be advisable, that the two schools should be under the same management?—Well, I think on the whole it would be better to have the two managements.

3694. And your object in putting it into this draft scheme was to have regard to Mrs. Wray's intention?—Yes, and to the feeling of the trustees, especially as there are now only two trustees.

3695. Your scheme incorporates the body in which you propose to vest all the property of the school?—Yes.

3696. Dr. TRAILL.—Looking to clause 16, would you prefer to have the Bank of Ireland stock?—Well, I happen to be a Bank of Ireland stockholder. As regards the scheme generally we wished to keep clear of difficulties as well as we could, and I do not say that the scheme is perfect.

3697. Lord Justice FRANKLIN.—We are very willing to hear anything on your scheme that you would like us to consider.

Witness.—I should like you to consider the question of making one common committee with respect to appointment and dismissal and other matters. We are not wedded to the scheme except as to keeping it on certain lines. We do wish that the lines should be kept to, both as regards the Wray school and St. Peter's school, that all members of the governing body should be necessarily members of our church, and all teachers and so forth. In the same way I have no objection to all children coming in.

3698. And you have no objection to a conscience clause?—No.

3699. Professor DOUGHERTY.—Would you not think it a desirable thing to take power to have a ladies' committee for the school?—It is. We have a ladies' committee to look after the girls.

3700. My own feeling is that ladies are better adapted for looking after infant schools?—You see we have three teachers looking after it.

3701. Would there be any objection to a clause providing that the income of the Wray bequest should be exclusively applicable by one managing council to the infant school?—Of course it is a considerable thing as it has often been done before, but still I would not like that Mrs. Wray's school should ever be in danger of suffering anything, and therefore you will find in one of the clauses, clause 16, that the funds are to be kept separate for that very purpose, and that without the consent of the Wray committee no change shall be made in the investment of the funds.

3702. Dr. TRAILL.—Are there any words in her will limiting it to an infant school?—No.

3703. Why then is it so?—The reason was, as Archbishop Lee stated, that the object was not to confine it to one sex, and the money was not enough to have two

schools, and therefore instead of having two schools it was thought better to have an infant school.

3704. Lord Justice FRANKLIN.—She contemplated the foundation and establishment of one school to be called her school, and between Judge Longfield and the Court of Chancery it has been settled that that is the infant school of St. Peter's?—Yes.

3705. Therefore you see no objection to the money of Mrs. Wray going, as long as that school is maintained, to the maintenance of it alone?—Certainly not. We think it right.

3706. And it would make this scheme much more workable if you had one council managing the schools, containing an adequate representation of Mrs. Wray's trustees, Mrs. Wray's trustees being an integral part of that governing body and her endowment being confined to the infant school?—I think it would. But there never has been any difficulty in the management of Mrs. Wray's school.

3707. There might be a practical difficulty in two committees under one roof making by-laws. For instance, one might make a by-law to have one of the schools shut at a particular hour, and the other might make a by-law to keep the other school open to a later hour, and the committees might differ?—There is in practice no interference. In practice it is left to the rector of the parish.

3708. The parish clergy and the churchwardens, I presume, would be regarded as fairly representative of the infants and the boys and girls both, and then I quite agree with Mr. Pilkington that putting in two churchwardens and then putting in an equal number of members of the select vestry would control the Wray trustees?—If you look at the scheme you will see there is no power whatever; that the Wray trustees cannot be interfered with either as regards the management of the school or of the funds.

3709. But if we saw our way to giving one governing body, including the Wray trustees, it would necessitate apparently a reasonable number of representative trustees?—Mrs. Wray's trust money cannot be touched or interfered with, and practically there can be no interference in the school. It looks complicated but practically it would not work at all badly. But as I said if the Commissioners can make a more intelligent scheme, if they make another scheme, there might be no objection to it, provided that the lines I have mentioned are adhered to.

3710. Are there any other trusts under the will that necessitate the keeping up of trustees of the will at all?—There must be trustees. She names four trustees.

3711. But those trustees are named in the will for the purpose of holding the 24,500?—Yes.

3712. Dr. TRAILL.—When were you appointed?—When I succeeded Archbishop Lee as Rector of St. Peter's.

3713. Was there any formal provision?—No. It was deemed fitting that the rector of the parish should be one of the four trustees. I do not think it is desirable to have a very large committee because they would not attend.

3714. Lord Justice FRANKLIN.—Suppose you had the two curates and two churchwardens and yourself, that is five of a parochial character, and the four trustees of Mrs. Wray's will, that would make nine, and that we gave you the power of keeping a school, what would you say to that?—I should like that. I do not myself, as one of the Wray trustees, object to the four. I don't make any objection.

3715. Dr. TRAILL.—Do you see any point in having any registered vestrymen?—Well, there was one of our select vestry who did see a point in it.

3716. One of the registered vestrymen?—The select vestry. They would select a gentleman of eminence in the parish, independent of the vestry. They would like to have a person outside.

Adjourned.

March 12, 1885.

Rev. Messrs.
W. J. J. J.
&c.

March 12, 1886.

FRIDAY, MARCH 19TH, 1886.

At the Office, 23, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FITZGERBON, Judicial Commissioner; and Rev. GEORGE MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.B., M.D., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, LL.B., Esq., was in attendance.

Love's Charity.

*LOVE'S CHARITY.

Mr. Wm. Anderson, Q.C. (instructed by Messrs. Henry T. Dix and Son) makes a statement on behalf of the Trustees of Love's Charity.

Rev. Canon Greene.

The Rev. Canon Greene swears.

3717. Mr. Anderson.—You are one of the present trustees of Love's Charity?—Yes.

3718. And you were appointed in January, 1868?—Yes.

3719. Have you got the deed of the 32nd of June, 1730, in reference to the Ballybough property?—Yes. (Handed in.) We also had in prelate of Love's will. (Document handed in.)

3720. Mr. Anderson.—We had in the deed of the 23rd June, 1740—I find that is the correct date—in reference to the purchase of the Ballybough premises; and the deed of the 24th November, 1730, in reference to the Thomas-street premises. (Document handed in.) Then there are the deeds of the 18th January, 1834, vesting the control in the then trustees, and new trustees were appointed under the deed of the 30th of June, 1830, vesting the trust property in the Rev. William G. Greene and Mr. Longworth. (Documents handed in.)

3721. From the time you have been acting as one of the trustees what amount of Government Stock have you got?—£7,333 4s. 3d.

3722. Have you seen that document—is that a correct return? (Return handed in.)—It is.

3723. Is this a correct rental of the Thomas-street premises?—Yes. (Rental handed in.)

3724. What officers have you belonging to the charity?—We have an agent who acts as secretary.

3725. What salary does he receive?—Nine guineas as agent's fees for the rents and three guineas for the secretary's work.

3726. Are there any other expenses connected with the management?—None, except stamps and stationery.

3727. There is some charge for insurance?—Yes; £1 2s. 6d.

3728. Lord Justice FITZGERBON.—That is on your books in Thomas-street?—Yes.

3729. Mr. Anderson.—What system have you adopted in reference to the working of the charity?—We send out circulars at the beginning of May and November to the parochial clergy of Dublin telling them that a certain number of fees will be payable at a certain time, and enclosing forms which they are to fill and to send in as a recommendation of candidates for the benefit of the charity. These are the forms (handed in), and these are the circulars (handed in). We enclose two forms to each diocesan.

3730.—Do you find as a matter of fact that there have been applications made for apprentice fees?—Formerly they were very numerous, but in later years the number has fallen off considerably.

3731. What is that owing to?—Partly, I think, perhaps, to the neglect of the clergymen, and partly to indispension on the part of the masters to take apprentices.

3732. The fee not being high enough?—Yes, and some firms will not take apprentices at all.

3733. Have you practically known yourself that objections were made to the amount of the fee?—Oh, yes, I have. In good businesses I find by experience that

they would not take apprentices in for £31. I have been in the habit, having both charities under my charge—Gardiner's and Love's—of supplementing in the case of a well behaved boy—of supplementing Love's fee by Gardiner's fee, or other money from charitable sources, and by making it up to £36.

3734. What do you mean by a good business?—Well, Brown and Thomas's, or one of those large establishments like McBurney's, or by placing apprentices, as we have done, in Edmondson's in Capel-street.

3735. Dr. TRAILL.—What fee do they require?—Those large establishments don't take a boy; such an establishment as Todd and Burns's would not take a boy under £20.

3736. Lord Justice FITZGERBON.—And what are the boys bound to learn?—Well, they are bound to learn the business of a hattermaker and the general drapery trade, and to attend customers in the shop.

3737. Mr. Anderson.—Do they become indent apprentices?—Yes, they are supported, boarded, and lodged.

3738. How long, as a rule, are they kept for the £20?—About three years.

3739. And when that period is reached do they usually get employment?—Generally, if they behave well they are kept in the same establishment.

3740. Lord Justice FITZGERBON.—You stated that you are engaged in managing Gardiner's charity now?—Yes.

3741. With reference to Gardiner's fund I see by the report of 1858, at page 114, its management was left by the will of the founder, George Gardiner, of Drumcondra, to the Lord Primate, the Lord Chancellor, and the Lord Archbishop of Dublin. A sum of £1,000 was left to provide apprentice fees for poor boys whose parents reside in Dublin—the fee being one of £16 Irish. This charity was under the management, by appointment of the trustees, of the Venérable the Archbishop of Dublin. But you said you were engaged in managing it now?—Yes, I succeeded him.

3742. And were you appointed by the trustees to the management of the Gardiner fund?—I was, up to the time it was put under the control of the Commissioners of Charitable Donations and Bequests. The Rev. Samuel Hughes now manages it for the Commissioners of Charitable Donations and Bequests. It was the late Sir Edward Sullivan who proposed the placing of the charity under the control of the Commissioners of Charitable Donations and Bequests.

3743. I suppose those Commissioners have merely the money placed under their control, or have they taken up the management from the Primate, the Archbishop of Dublin and the Lord Chancellor?—They stand in place of the Primate, the Archbishop of Dublin and the Lord Chancellor, and the duties of the management are altogether transferred to their hands, but as each individual case had to be submitted to the Board of Charitable Donations and Bequests before the application could be granted, and as that proved too troublesome a way of doing it, the Board entrusted the management to the Rev. Mr. Hughes.

* See App. B. No. XIV. (c).

† App. B. No. XIV. (c), p. 479.

‡ App. B. No. XIV. (c), p. 472.

3744. And as far as you are aware are the funds of both charities applicable to the same object?—Quite. It has been always so. I know that for twenty years, and during that time I sometimes gave the money of one to supplement the grants of the other on account of their inadequacy.

3745. And on every occasion to the same boys?—Yes. In order to make up fees that would be accepted by the masters.

3746. During your management of both of these charities have you come to the conclusion that they are charities which it would be desirable to amalgamate?—I don't see why they should not be amalgamated. There is one thing with regard to Gardiner's charity which I wish particularly to point out. It is not possible to pay that fee to a boy who is an orphan, so that the boy who wants it most cannot get the benefit of Gardiner's charity. They stretched it so far as one parent only being alive, but the Master of the Rolls held that both parents should be alive.

3747. Lord Justice Fitzgerald.—Because the parents must be resident in Dublin?—Yes.

3748. How are the premises let?—They are let under lease—the Ballybough premises.

Mr. Anderson.—The date of the lease is the 10th of December, 1859, and they are let at a yearly rent of £75. It appears that a portion of these premises were taken by a railway company, and that the other portion was let on lease for twenty years at a yearly rent of £75 16s. 10d. Both these leases are for terms of 999 years. (Documents handed in.) The Thomastown premises are let on a lease bearing date the 18th of October, 1851, for a term of ninety-nine years, at a yearly rent of £40. The gross yearly rent is therefore £188 10s.

3749. Professor DOUGHERTY.—(To witness).—Have you ever had applications from ministers of other Protestant denominations?—I have.

3750. Did you inquire in every case whether the boy receiving the benefit of the charity was a member of the Church of Ireland?—I have always had them on the recommendation of a member of the Church of Ireland.

3751. As a matter of fact, have they always been church boys?—I cannot answer that. I took the boys on the recommendation of the parochial clergy.

3752. Have you limited the sending of your forms of application to such charity schools as are parochial schools?—No, we have sent them of late to other places. When I found that the applications were not so numerous as they used to be I extended the operations of the charity rather. I used to send the forms to the Meath Industrial School, for example.

3753. Rev. Dr. MOLLOY.—You found if you adhered to the strict terms of the trust you could not get the boys to whom you were bound to apply the fund?—Exactly so.

3754. Professor DOUGHERTY.—Would you think it desirable to give the trustees power to extend the charity to boys of all Protestant denominations?—I

could not express an opinion upon that point. I think if the fee was a larger one we should be able to spend the money.

3755. Dr. TRAILL.—But you have that power at present—you can take any Protestant boy when you take in the Meath Industrial School?—At least I have done so. I don't say I ought to do it or not.

3756. Lord Justice Fitzgerald.—With regard to the rental which you have handed in, is the rent regularly paid?—Yes.

3757. Were there not a number of these small charities attached to St. Werburgh's, I have a list of them broken up into very small sums, some for apprenticing?—Yes, £1 2s. 6d. is paid over to the trustees of each school entitled to it, by the churchwardens of St. Werburgh's parish, and goes to the general school fund.

3758. Dr. TRAILL.—Why do you restrict the girls to £30 and the boys to £30?—I think £30 would be sufficient. There are very few businesses that girls can go to.

3759. Would it not be better to take powers up to £50 and only spend £30, if you wish?—It would be better, perhaps.

3760. Lord Justice Fitzgerald.—These money limits will work out in time?—I think they should be given such fees as the trustees think proper.

3761. The limits of £30 and £30 might be found impracticable?—Yes, quite so.

3762. Rev. Dr. MOLLOY.—What sense do you attach to the words "charity schools"?—I think they are what were practically the State schools in Dublin 150 years ago.

3763. I mean in your scheme?—That is the term used in the will.

3764. Can you not extend that meaning?—I enlarged the operations of the charity, for example, to the Meath Industrial School. I paid apprentices fees for boys of that school.

3765. Do you regard the National Schools as charity schools?—Oh, I think so.

3766. Dr. TRAILL.—I have very little doubt that if you looked back into the schools in Dublin in 1747 you would find a large number of boarding charity schools which have ceased to exist?—I dare say. Now there is only one point—I should say there used to be boarding schools in St. Bride's and in St. Werburgh's parishes.

3767. A number of boarding and charity schools in St. Bride's and other parishes?—Yes.

3768. Lord Justice Fitzgerald.—It will take sometime to prepare a draft scheme for the charity, but when it is prepared the public will get notice, and anyone who has any objection to make to the draft will be afforded an opportunity of sending it in. This scheme will have to be delayed, because we must see whether there are any charities of a similar character with which it might be amalgamated.

Witness.—I don't know of any other of a similar character in the city of Dublin, except Gardiner's.

March 19, 1860.
Rev. Canon
Green.

KNIGHTS SCHOOL.

Knight's
School.

The Very Rev. the Dean of St. Patrick's, and the Very Rev. the Dean of the Chapel Royal, attended on behalf of the Governors.

The Dean of the Chapel Royal makes a statement on the part of the Governors.

Very Rev. H. H. Dickinson, M.A., Dean of the Chapel Royal, sworn and examined.

Very Rev.
H. H. Dickin-
son, M.A.

3769. Lord Justice Fitzgerald.—I believe you are one of the Governors of this charity?—Yes.

3770. What is your endowment?—We are entitled under a deed of the founder, James Knight, dated November 30th, 1723, to a rentcharge of £70 8s. sterling, free of taxes and incumbrances, issuing out of certain lands in the county Wicklow.

3771. Do you still continue to receive that sum?—We have only got Irish money, and paid the taxes.

3772. Who are the persons actually managing this charity, at present?—The Governors.

3773. From whom is the rentcharge received now, who pays it to you?—Mr. Humphrey.

3774. Can you give his address?—Dr. Stokes, the Treasurer, or steward, receives the money. He will be able to inform you who he gets it from.

3775. He keeps your books?—Yes, I will send you an abstract of them.

March 12, 1885.

Very Rev.
R. H. Dickin-
son, M.D.

3775. The sum of money you receive is about £60 a year?—Yes, for the school.

3777. I see your receipts for one year were £61 10s. 3d., and for the next year £61 5s. 4d. 1.—We have been receiving for the school £9 per annum less than we ought to have received, because it was not until an investigation of the terms of the deed for this Commission, that we discovered that its terms were so strong, and that then we saw it was sterling money of Great Britain, exempted from all taxes and deductions.

3778. And have you made any demand since you discovered that, upon those who pay you for the larger sums?—I don't think it would be right to go back.

3779. But if in the future you can induce them to pay you more, I suppose you will do so?—We don't know that we shall get it—as all events that is the way the thing has been done.

3780. How have you been applying the money?—To the payment of a master, and that is nearly all.

3781. What is put down in your account for 1881 is—master's salary, £40; and £9 for coals; incidentals £3 13s. 6d.; repairs £5—what are your repairs exacted upon?—The school-house.

3782. Is that the school-house mentioned in the will?—It is not the school-house mentioned in the will. It is the school-house built by us, upon a site conveyed to us. In the second schedule of the list it is described erroneously as the lease of the premises occupied as Knight's school. It is not a lease. It is a conveyance by the Wide Street Commission of the site. We have got the conveyance of the Wide Street Commission of 1819 (document handed in).

3783. And this rectifies that in consideration of £300, this piece of land was bought. Do you know how the £300 was raised?—For a long time there were legal difficulties about getting the money established by this trust, and during that time the fund accumulated, and it was out of that accumulation that the school site was purchased, and the school premises built.

3784. And you hold the school there for ever runs free?—Yes.

3785. What is the education carried on there now?—Primary school education only. There are only about fifteen boys attending the school now. I should explain that the reason why the number in the school has fallen off, may be partly attributed to the advanced age of the master, but not entirely so. The cause chiefly lies in the fact that there are a number of primary schools in the immediate neighbourhood, under the National Board. There is an excellent school in St. Werburgh's parish, and an excellent National School in St. Bride's parish, which is in a street very close to Knight's school; and on the other side there are the schools of St. Matthew's—and the consequence is that the children, especially under the conditions of the school—under those severe proselytising conditions—are not sent to us; and it is only natural to expect that it should not be used by Roman Catholic children. For a long time the Governors of the school have been willing to be formally relieved from the obligation imposed upon them. The will provided for that which has not been insisted on, and it was proposed some two or three years ago that we should apply to the Commissioners of Charitable Donations and Bequests for relief from that condition, and that we should become entitled legally to do what we have in fact been doing. We found out that failing the conversion of the Roman Catholic children of the neighbourhood, our trust could not usefully be applied, unless we went on doing what we were then doing in our own way, but we believed we were under a legal necessity for doing that which we didn't think we had a moral right to do.

3786. Rev. Dr. McManis.—What the deed provides is, that if all the Roman Catholics of the country have so far conformed to the Protestant religion, that there were no longer Popish children available for the purpose, that then you might apply the fund to Protestants?—Yes.

3787. Dr. TRAILL.—There is another clause in relation to Roman Catholic children?—But the associated condition was that such children must receive the teaching of Mr. Knight's own church.

The Deem of St. Patrick's.—What the deed says is, that provided there shall not be found a sufficient number of children of poor Popish parents to make up the twenty boys, then in such case—

3788. Lord Justice Fitzgerald.—As a matter of fact, are there to be found twenty children of poor Popish parents to attend the school?—No.

3789. Professor DOUGHERTY.—And failing that, then you are to go on with twenty poor Protestant children?—

Dean Dickenson.—We were, in point of fact, unable to comply with the terms of the deed. I have further to say that I think, as a primary school intended for the poor, it has ceased to be economical as it once was. I see there is a clause in the Act which provides that the Commissioners may charge the condition, and style, and class of a school if any school should prove to be in excess of the requirements of free elementary education in the locality. Seeing that this school is attended by so few, and that there are other schools provided for it in the neighbourhood under the National Board, it may be conceded to be in excess of the requirements—"in excess of the requirements of free elementary education in the locality." Thus in the words of the Act. Our scheme refers to the instruction of apprentices at evening classes, and anyone who works as a journeyman is aware that boys are apprenticed from the age of fourteen, whose literary and general education is not complete, and who may desire to supplement that education by evening teaching; and for a long time we have thought that our school was one that would be utilized a great deal more if it could be carried on in that way as a sort of technical school, or elementary school, with a science class. And the governors would be willing to undertake a class or classes, and to carry them as with a science class, such as is secured in schools connected with the National Board of Education in Ireland.

3790. It is not a boarding school?—No; it is a very small house.

3791. I must say it is very liberal to propose a science class, because the deed expressly mentions the endowment to the Protestant Established Church!—I think everyone on the board is in favour of the science class, and of the suggestion for the extension of evening teaching to the persons I have described. We wish that the benefits of education should be extended as widely as possible.

3792. Lord Justice Fitzgerald.—What is this grammar school that you propose to expend portion of the trust on?—That is referred to in the draft scheme. We propose, in the first instance, that the trustees shall be the same as appointed under the will, which is a denominational endowment. We propose that the endowment shall be held in trust "by the foregoing persons for extension of the benefits of the grammar school connected with St. Patrick's Cathedral, provided the trustees shall be at liberty to allocate an annual payment, not exceeding £26 per annum, for the instruction of an evening class for apprentices, and such other sons of poor parents as may be unable to attend elementary schools during the day; provided also that religious instruction given to pupils attending such evening classes shall not be compulsory as a condition of attendance." That would leave about £84 available for the grammar school. The grammar school is a school in connection with the Cathedral, and it is called the Cathedral school or the grammar school. It is for boys not exactly of the poorest class—boys who are trained as choristers, and also for other boys. I said just now that the primary schools in the neighbourhood were very numerous, and that this school is in excess of the requirements of free elementary education; but I think the Commissioners must be aware that there is a sort of interval

that has to be spanned between the very poor and them that are a little better than that—boys of the artisan class, and boys of the class that comes our grammar school and get into the choir, and who are allowed to be left a little behind as regards educational benefits. Provision is made for primary schools, and there is the benefit of the provision under the Intermediate Education Act. If boys had opportunity of rising from the lowest point upward it would be desirable.

3793. Dr. TRAILL.—Is that the grammar school called Marsh's school?—No. You mean Marsh's library.

3794. I thought there was a school connected with it?—No.

3795. What was the school to which Mr. Overden was attached?—He was attached to the grammar school, and the grammar school is for boys who are choristers.

3796. Lord Justice FRANKEN.—Where is the grammar school situated?—Close by.

3797. How is it supported?—The masters and the warden are paid by the Cathedral Board.

3798. It is not an endowed school?—No; it has no endowment. If you approve of the plan about the evening classes, it would have an endowment of only about £30 a year. Mr. Knight intended that this school should be kept up in St. Patrick's class, and also in that deed mentions that the free school which is endowed, and which he designated Knight's school, was the school attended at that time by the boys of the grammar school.

3799. The school endowed was the school connected with the Cathedral, because he speaks of it being in the Cathedral close?—Yes.

Rev. Dr. MOLLER.—"The charity school now kept in the Little Close, behind the Cathedral Church"—these are the words of the deed.

3800. Lord Justice FRANKEN.—Is there any institution which would appear to be suitable that could be amalgamated with this one?—The grammar school connected with St. Patrick's Cathedral. We could make a better school of it.

3801. By amalgamating it with the grammar school?—Yes.

3802. What is your arrangement about conducting evening classes?—Not necessarily conducting such classes. We only wanted to have the power of trying the experiment; and supposing the evening classes are not profitable then the trustees should be at liberty to allocate the full amount to the grammar school. If we did that ourselves objection might be raised. It might be said "Why do you take all the money from the very poor?" We only want it to be beneficially applied.

3803. Is there not a great practical difficulty in keeping up the attendance at evening schools?—Yes.

3804. Has not the experiment been already tried, and with indifferent success?—But it may be more successful by-and-by when technical schools become better known. As regards the question of technical schools there is one about to be opened in Karin-street, at Mr. Fry's factory.

3805. Is it impossible to provide out of the fund at your disposal that the endowment could be made available for apprenticing boys in this locality?—Quite so.

The Deed of St. Patrick's.—The way we managed to apprentice boys was through Love's charity, and through Gardiner's charity.

3806. Professor DOUGHERTY.—Would it be more beneficial to amalgamate this endowment which is an apprenticeship endowment with other apprenticeship endowments, or to keep it for the maintenance and endowment of a particular school?

Dean Dickinson.—We should much prefer that it should be kept for the maintenance of a particular school, because that was the primary object of Mr. Knight's will. The other was only a secondary object. The £60 was to be first appropriated to teaching purposes, and that left a very small balance for the other.

3807. The primary object of the will was to provide elementary education, and that is now done through the State?—Elementary education is provided at the

grammar school as the foundation of all other teaching. We do not give an ambitious classical education.

3808. Who has the management of the Cathedral Grammar School?—The same persons—members of the Cathedral Board. The payments of the money to the schools are under the management of those persons chiefly. According to ancient usage the Proctor has the appointment of the Successor, who is also the Warden of this grammar school, and under him there is a teacher.

3809. Lord Justice FRANKEN.—Is the grammar school held in the same building as Knight's school?—No.

3810. What is the attendance at the grammar school?—About forty boys attend the grammar school, whose building is interlocked as it were with the building of Knight's schools, and not only are the buildings interlocked, but from time to time the income of Knight's school has been subsidised by grants from the offertory and other charitable sources connected with the cathedral.

3811. What class of boys attend the grammar school?—They are about the same class of boys that attend the Ralph Maclaine schools. They are very mixed. They are very well behaved boys. No questions are asked about the pedigree of the parents; they are respectable lads of the clerk and artisan class.

3812. What do you teach in the grammar school?—A plain English education, and of course music is an essential part of the education.

3813. Professor DOUGHERTY.—Why do you call it a grammar school?—Well, it was sometimes called the grammar school, and sometimes it was called the Choristers' school.

3814. It is an ordinary primary school?—It is a little better than that, because French is taught in it.

3815. Dr. TRAILL.—Is it limited to boys attending the choir?—No.

3816. How many boys go to the choir?—About twenty-five.

3817. Professor DOUGHERTY.—Do you, as Proctor, apply the funds of Knight's endowment to a lower class of boys than those whom you admit to the grammar school?—Yes. But then the poor children of the district do not really attend Knight's school—in fact the endowment has been, so far as regards that, doing very little good of late years. Of course we are very loth to expunge the present master, Mr. William Whitty, who is about seventy-five years of age. We propose in clause nine that in case his office shall be rendered void, he shall receive a pension of two-thirds of his present salary.

3818. Does Mr. Whitty hold any other office?—No.

3819. Rev. Dr. MOLLER.—I find by the deed that the trustees were appointed for the purpose of educating and finding out twenty boys, "the children of poor Popish parents"?—Yes.

3820. But you propose to apply the endowment exclusively to the children of Protestant parents?—Because you see the stipulation was that the charity was to be applied to poor Popish children who would become Protestants. We might legally receive them under the same conditions.

3821. You find it impossible to carry out the two provisions, namely, that they should be the "children of Popish parents," and that they should be educated in the Protestant religion?—Yes; and we don't like that condition of course.

3822. You find it impossible to get children whose parents will allow them to accept the education on the terms proposed?—Yes.

3823. But it is not impossible to get them to accept the apprenticeship fees?—I maintain that the education is a condition precedent. You cannot bind them without education. It is the apprenticing of children so educated—that is to say, the previous consent of the Popish parents must have been given to the reception of Church teaching.

3824. The twenty boys are to include those to be

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educated and those to be bound apprentices. Now the deed provides that you "shall from time to time fill up and complete the said number of twenty boys with children of poor Popish parents, in order to have them bred up and educated Protestants of the Church of Ireland, as by law established"—that is, to fill up the number of boys to be apprenticed or educated. "But in case it shall at any time happen that the natives of Ireland shall conform to the Established Church in such numbers that there shall not be found a sufficient number of children of poor Popish parents to complete and make up the said number of twenty boys, then and in such a case they—the said trustees or their survivors—shall fill up and complete the said number of twenty boys with the children of poor Protestants of the Established Church." That condition has not been fulfilled, because there is quite an abundance of children of "poor Popish parents" still existing—but they have not fulfilled the condition: they have not conformed in such numbers.

3825. But the supposition made here is that the whole Catholic population had gone over to the Protestant Church, and that there would be no longer a Roman Catholic population to be educated, and it is provided that in that case you might educate Protestant children—but that condition is not fulfilled!—If one condition is regarded I maintain that the other also applies, because it is an essential condition that the education given should be based upon a certain religious training—it was essential that they should receive teaching in a certain form or not at all.

The *Deeds of St. Patrick's*.—There were not to be two distinct classes of persons—some to be apprenticed and some to be taught.

3826. Rev. Dr. MOLLOY.—It is practically impossible to carry out the trust!—Yes, because the children won't come.

3827. You might do either of two things—you might give the education to Roman Catholic children without teaching them the Protestant religion, or you might transfer the benefit of the trust to Protestant children. You prefer to do the latter. Would not the former be quite as near the original intention?—No; I think if we give the education without the religion we should be running counter to the intentions of the founder.

3828. Would you not be doing so by applying the money he left for the education of Catholic children to Protestant children?—But he left the alternative that falling the attendance of Roman Catholic children the money should be applied to Protestants.

3829. No; only on a contingency which has not arisen—namely, that the whole of the Catholic population had gone over to the Protestant Church, and that, consequently, there were no longer any Catholic children to be educated!—Well; that was a sanguine way of putting it.

3830. Lord Justice FRYGEMAN.—There is a provision under the will as regards the administration of the fund, which declares that the money is to be paid "to such person or persons as the Archbishop of Dublin, for the time being; or the Dean of the Cathedral Church of St. Patrick's, Dublin, for the time being; the Chancellor, Chancellor, and Treasurer of the said Cathedral Church of St. Patrick's, Dublin, for the time being; the Vicar of the Dean of the said Cathedral Church of St. Patrick's, for the time being; and the Vicar of the said parish of St. Peter's, Dublin, or any three of them—the Archbishop, or the Dean, or the

Vicar of St. Peter's always to be one of the three"—and so on. It is, therefore, vested in a governing body to be exclusively of the clergy connected with the cathedral!—Yes, and our object is to widen the benefit as far as we can, by providing evening classes, and we are willing to insert a conscience clause. I think our liberality has gone as far as it possibly can.

3831. As you find you must depart from the terms of the will you prefer to make the departure in favour of the education of Protestant children as distinguished from departing in the direction of Catholic children!—That latter departure we are not free to adopt. We are willing to extend the benefits of secular instruction, but we are not willing to give up the religious education which the founder insisted upon so strongly. Mr. Knight was very definite in his direction. There is a proviso in the draft scheme that "the school shall be open for annual inspection by an Inspector to be nominated by the Lord Lieutenant, to whom his report shall be presented." Then there is another provision that "the Trustees shall be bound, out of the annual income of the charity, to pay a sum of £10 8s. sterling, in each year, to the Incumbent and Churchwardens of St. Peter's parish, towards the maintenance of four poor Protestant widows in the house now known as 'Knight's Widow's House,' situate in the said parish of St. Peter's."

3832. Professor DOUGHERTY.—Do you find that useful application of the endowment!—We do.

3833. Is there a house called Knight's Widow's House!—Yes.

3834. And are there widows in it?—It is known as Knight's Widow's House. It was thought that £10 would not support four widows. It is "towards" the maintenance of four widows. We do not of course press that clause if the Commissioners choose to discharge us from that obligation, but I don't think you can, according to the Act.

3835. Dr. TRAILL.—You think the first object of the trust was for proselytizing purposes!—Yes.

3836. And failing that you think that the next best application of the money you receive is by promoting the education of Protestant children, and extending the educational advantages to all, with a conscience clause!—I think that all we have a right to do is to soften the application of the condition as much as possible.

3837. Rev. Dr. MOLLOY.—Neither of us would be disposed to apply the funds in exact accordance with the terms of the deed, while I think you might depart from the terms of the will by devoting the fund to the apprenticing of the children of Popish parents apart from education—you are of opinion that you are bound to train them as Protestants. While you are disposed to make a departure in one direction, I should be disposed to make a departure in another direction!—Yes.

3838. Lord Justice FRYGEMAN.—The fund is described as Irish sterling money, whereas you have got sterling money of Great Britain!—Yes.

3839. How is the sum so low as £201?—They have taken off what they have no right to take, but I don't think you would recommend us to take any proceedings for the recovery of the arrears.

3840. We have no power to do that.—Probably it was a mistake an unintentional on their part as it was unknown to us.

The Commission adjourned.

MONDAY, 22ND MARCH, 1886.

March 22, 1886.

Presents—The Right Hon. Lord Justice FRITHGROVE, Judicial Commissioner; and Rev. GERALD MOLLOY, D.D., B.A., F.R.S., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, esq., LL.B., was in attendance.

THE HIBERNIAN MARINE SOCIETY.

Mr. J. J. TWIGG, q.c. (instructed by Messrs. Stansell and Son), makes a statement.

The Hibernian Marine Society.

Mr. Francis De Lisle sworn and examined.

Mr. Francis De Lisle.

3841. Mr. TWIGG, q.c.—You are the Registrar of the Hibernian Marine Society?—Yes.

3842. How long have you been Registrar of the society?—About ten years.

3843. Can you state what the funds are—the annual income of this society. Are they accurately stated in the end of the printed schedule?—I will state them.—They consist of—a perpetual yearly rent-charge of £55, late currency, being £53 1s. 8d. present currency, payable out of the lands of Bogentown and Ballinaght, in the King's County, under the provisions of the will of Joseph Wright, dated 19th July, 1793.

3844. Lord Justice FRITHGROVE.—Have you an abstract of the trusts of the will?—Yes (Witness hands in documents).

3845. Mr. TWIGG, q.c.—Now the next matter?—An equal society of the rents of certain lands in the county of Carlow, devised to the said society, by the will of Henry Waddell, dated 1st February, 1783—amounting to £12 1s. yearly. It varies from year to year. The last sum received was only £11 5s.

3846. Lord Justice FRITHGROVE.—Who pays you the money?—Mr. Edward C. Jamieson, Carlow, is the agent, and he furnishes the annual account in this form (present handed in) and when it comes to me, I receive the money from the Registrar of the Hibernian Military School.

3847. Professor DOUGHERTY.—Part of the property devised by this will has been lost, I believe?—I am not aware.

3848. Dr. TRAILL.—Yes. Right across.

The Witness.—I have no knowledge of it.

3849. Lord Justice FRITHGROVE.—The gross rental is £44 5s. 9d., and the deductions for headrent, poor rates, income tax, and agent's fees, is £22 15s. 8d., which leaves a net income of £22 10s. 1d.?—Yes.

3850. Who appointed Mr. Jamieson agent?—I am not aware. He was agent when I first became connected with the society.

3851. Is he agent of the trustees of the will or of the society?—I believe of the will. I am not aware who appointed him.

Mr. TWIGG, q.c.—What is the next item?—

3852. Premises on Sir John Rogerson's quay, in the city of Dublin, held in fee-farm, subject to the yearly rent of £90, late Irish currency, being £93 1s. 6d., present currency, payable half yearly, on 25th March and 25th September, and which premises are subject to the following tenancies:—Representatives of Portland, for a term of ninety years from 1st May, 1804, at the yearly rent of £133 15s. 4d., and Sir Richard Martin, Bart., for a term of five years, from 28th February, 1883, at the yearly rent of £350. That is to Sir Richard Martin and Co.

3853. Lord Justice FRITHGROVE.—Have you got the original lease?—

Mr. TWIGG, q.c.—It was in 1770.

3854. Lord Justice FRITHGROVE.—These are the premises upon which the school was originally situated.

Witness.—Yes.

3855. Who is the lessor?—It is part of the County's estate.

Mr. TWIGG, q.c.—The charter was in 1775, and it was taken before that.

Witness.—I have got a copy of that, but I have not a copy of the fee-farm grant; the charter recites the lease of 1770.

3856. Lord Justice FRITHGROVE.—Are all the premises let in one lot?—No. There is first Portland's holding at a yearly rent of £123 13s. 4d., and the second is Sir Richard Martin and Co.'s at a yearly rent of £350.

3857. Lord Justice FRITHGROVE.—Have you got Portland's lease?—I have not. It is a terminable lease, and there are not many years of it to run. If you consider it desirable I will go up to Merrion-street and get it.

3858. If that lease fell out it would be let for a far longer sum?—No; I think it would never produce any more.

3859. Mr. TWIGG, q.c.—Do you think it would produce more or less?—I doubt if it would produce more.

3860. Dr. TRAILL.—Would the buildings not become your property?—They would on the termination of the lease.

3861. Then would not the whole thing set for more than that?—I think they would set only as stores.

3862. Who occupies them at present?—There is an intermediate tenant. The representative of Portland pays the rent.

3863. Lord Justice FRITHGROVE.—Who are the occupying tenants?—I do not deal with them.

3864. Do you know the premises?—I do. They adjoin the boundary wall of the school on Sir John Rogerson's quay.

3865. Sir John Rogerson's quay is Richard Martin and Co., timber and shale stores, value £78. Is that yours?—Part of it.

3866. Then there is 28 and 29, valuation £310, and adjoining that George Bell, ship owner?—They are not our premises.

3867. William J. Deherety, contractor?—That is part of ours.

3868. Is Mr. Tedcastle on your premises?—No, I think not.

3869. Are these rents regularly paid?—They are.

3870. I see the lease for the Martins is only ten years from 17th February, 1873?—It expired then, and they applied for a renewal, and we granted it, and have let it as you see at £350.

3871. Dr. TRAILL.—Why was there so short a lease?—I think the society limited. The subject was discussed a good deal at the Board, and they did not think it right or proper to make a long lease. The policy of the resolution was that the premises might become more valuable, and they felt they were not at liberty to lease it while there was a prospect of an increasing valuation.

3872. Lord Justice FRITHGROVE.—It is now leased from 28th February, 1883, for £350 a year, for a term

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of five years?—There are only I think two years remaining.

3873. Rev. Dr. Monro.—The premises let to Sir Richard Martin are likely to increase in value?—Yes.

3874. And those let to the representatives of Portland are not?—Those are all premises. Those stores are now greatly worn out by many years use.

3875. Lord Justice Fitzgerald.—You have something now £400 a year out of these premises, after paying the land rent?—About £400.

3876. Now as to the premises in Merion street?—The premises there are held under a lease dated November, 1840 (produced), for sixty-one years and six months, from 29th September, 1841, at the present yearly rent of £400.

3877. Have you any conveyance to the society of these premises? What did you pay for them?—For these premises £1,750 was paid, and here a conveyance.

3878. That I believe is all the fixed property?—It is.

3879. What is the bank stock you have?—£5,050 Bank of Ireland stock.

3880. Do you know the origin of that investment?—I do not know. It was in that shape when I joined the society, and no dealing with it has taken place since then. It was the result I believe of accumulations.

Mr. Feagha, Q.C.—They must probably have transferred some of it and invested it in the Great Southern and Western Railway stock.

3881. Lord Justice Fitzgerald.—There are legacies as follows:—From Henry Jones, £500; J. Johnston, £500; G. Simpson, £500; T. Needham, £200; Dr. Smith, £200; Brian Connor, £1,000, &c.; altogether with other legacies, accumulations, subscriptions, &c., £8,103, invested in Bank of Ireland stock, paying nine per cent. interest, and £2,000 in Government stock?—Yes, they got the legacies and had the stocks mentioned at date of that report.

3882. How did you get the money to buy this place in Merion-street?—On that occasion the society was possessed of canal stock, and they sold £1,601 and £600 of railway stock, which produced £1,473 11s. 9d., and having available funds they paid the remainder with a cheque.

3883. Rev. Dr. Monro.—Where did that canal stock come from?—I do not know. I had never any occasion to look into it.

3884. Lord Justice Fitzgerald.—What is your income from stock?—Last year the dividends were £292 13s. 6d.

3885. On what date in each year do you balance your accounts?—The date of the last audit is there.

3886. This is February, 1886?—Yes; that is a little earlier than they were usually done, but it was thought desirable then to do it.

3887. Have you no fixed time for taking an account?—I cannot say that there is any fixed time. It is usually about March. They are closed to the end of the year.

3888. Take the accounts audited for 1884?—The totals are—Dividends £1,091 8s. 5d., rent £294 13s. 11d., subscriptions £34 3s. 6d., sundries, including balance in bank, £259 7s. 9d., making a total of £3,239 13s. 1d. Dividends are derived from £5,000 Bank of Ireland stock, £1,000 Great Southern and Western, and rental from premises, £218.

3889. What is the expenditure for that year?—Salaries, wages, &c., £336 8s. 6d.; candles, coals, gas, &c., £24 8s. 1d.; diet, £493 6s. 4d.; clothing, drapery, &c., £184; rent, insurance, £171 10s. 7d.; purchase money (part of head rent in Merion-street), £571; furniture, &c., £58 1s. 6d.; stationery, £10 2s. 6d.; sundries, £20; total, £1,982 14s. 6d., with a balance in bank of £253 2s. 3d.

3890. For the year 1884 there is a total expenditure of £1,139 2s. 6d., and a balance in bank of £214 1s. 0d.?—Yes.

3891. For the year 1885 the total expenditure is

£1,298 16s. 8d., and balance in bank £219 13s. 11d.?—Yes.

3892. Then you have at present, or on the 29th February, 1886, £219 13s. 11d. as a balance in bank?—Yes, and also in the register's hands 13s. 11d. cash.

3893. I see that in your account audited 10th March, 1886, the dividends are £1,234 13s. 7d., and in that audited 8th March, 1886, they are £202 18s. 4d.?—Yes; the dividends upon these stocks decreased.

3894. They cannot have decreased one third. You must have run a year and a half into one year's account. I cannot make out that the accounts are balanced year by year?—An extra dividend came into that year.

3895. You seem to have only brought in a half year of the Great Southern and Western stock in 1885-6; how did that happen?—Three half years were included in account for previous year. The bank stock dividend is never paid into the society. It is lodged by the bank to the credit of the society.

3896. What are your accounts?—The accounts in every case. It is done by members of the society.

3897. Why don't they see that you bring all your dividends into cash year?—I think the time of their coming in must have caused it.

3898. What, taking the one year with the other, ought to be your income?—Something over £1,300 a year.

3899. Have you got the books which will enable you to say when that bank stock was invested, and what the source of the endowment was?—I will search in the papers and may arrive at it.

3900. Have you a copy of the account?—The old account books are in the possession of the society.

3901. Can you send us in a return of the particulars of the investment which produced the Bank of Ireland stock, and the Great Southern and Western stock, and the canal stock. If you look in this report of 1883 you will see that the accumulations are legacies, and I wish you to find that out?—Yes.

3902. Who are your present Governing Body?—*(Witness hands in list).

3903. There are in list two ex-officio—His Grace the Archbishop of Dublin, and The Venerable the Archdeacon of Dublin, and there are four life members, Charles Palgrave, Henry Roe, Lord Ardilaun, and Sir Edward Guinness. What is it that constitutes a life member?—A payment of £50.

3904. And there are eighteen annual members. What constitutes an annual member?—The payment of one guinea a year.

3905. Does every-one who subscribes a guinea a year become an annual member?—Not until elected. The mode is to propose a new member at a general meeting, his name remains on the books for three months, and when it is brought forward, and he is elected if there is no objection.

3906. Have you got the minute book?—I have. The mode of keeping the minutes has always been to have the general meetings recorded in one book, and the monthly meetings in another.

3907. You require to have four stated general quarterly meetings, on the first Monday in February, May, August, and November. Do you hold those meetings?—Yes.

3908. Is that a meeting of all the members?—Yes. 3909. Mr. Feagha, Q.C.—I think, Mr. De Lila, you made a mistake with regard to life members when you said it was a payment of £50. It is twenty guineas in the charter?—A case of it has not occurred within my knowledge. These gentlemen were life members when I was elected registrar. I was under the impression that the payment was one of £50.

3910. Lord Justice Fitzgerald.—Will you let us see the minutes of the general meeting. There are two books?—Yes, there is a rough minute book used for both.

3911. How do you summon the general meetings?—There is a form of summons of which I believe I have a copy. There are the forms (handing in forms).

3912. Who do you summon to these meetings?—

The Committee. We summon all the members on that list.

3913. Does that include all your subscribers?—Yes.
3914. Every one of your subscribers?—Yes. The entire members are in that list.

3915. Professor DOUGHERTY.—Have you no subscribers outside it?—No.

3916. Lord Justice FRYGIERSON.—Is the whole body of subscribers at present included in this?—Yes.

3917. There are only eighteen at present?—Yes, that is all.

3918. And four life members?—Yes.

3919. Mr. TWISS, q.c.—A mere subscription does not make a man a member?—No, he must be elected.

3920. The persons who pay are the persons out of whom they should be elected?—Yes.

3921. Persons who pay twenty guineas may be elected members for life, or persons who pay a guinea a year may be elected as yearly members?—Yes.

3922. Rev. Dr. MOLLOY.—Are there any persons members who have not paid?—No.

3923. And all who have subscribed have been elected as a matter of fact?—Yes.

3924. Lord Justice FRYGIERSON.—There is further power to elect a Committee?—Yes.

3925. To appoint a Committee of fifteen?—Yes. They are appointed annually.

3926. In November?—Yes. You will see their names there.

3927. Dr. TRAILL.—There is no restriction as to the religious?—

Mr. TWISS, q.c.—No, there is not.

Frygier.—Our Governing Body were all of one religious denomination.

3928. Lord Justice FRYGIERSON.—I see that on Monday, the 9th November, 1883, at the general meeting, there were present so and so, and they proceeded to appoint the officers as follows:—President,

the Lord Archbishop of Dublin; Vice-Presidents, the Archbishop of Dublin, Rev. Andrew Campbell, D.D.,

Frederick Stokes, Charles Silbthorpe, Henry Johnson,

George Grove, Thomas Silbthorpe, Ian Traut Hamilton;

Hon. Secs., Rev. A. Campbell, and Charles Silbthorpe;

Hon. Chaplain, Rev. A. Campbell; Surgeon, Dr. Smyly;

Apothecary, C. A. Allen; Registrar, Francis de Lisle, Schoolmaster, John Colvin; and then there is a Committee of fifteen, Rev. A. Campbell, George

Grove, Frederick Stokes, Charles Silbthorpe, Henry Johnson,

Thomas Silbthorpe, Ian Traut Hamilton,

Rev. E. G. Campbell, Thomas Curtis, Charles Pepper,

Henry Alexander Hamilton, Marcus T. Moses, Francis de Lisle, Arthur R. O'Hanlon, and Charles Colby. So

that substantially the Committee was formed of the same gentlemen who had been elected members of the society?—They were.

3929. I see that the general meeting, having met on the 9th November, was summoned for Monday, the 2nd. It was adjourned till Monday, the 9th, for the want of a quorum?—Yes.

3930. And there was a special meeting for Monday, the 16th. What was that for?—Thursday, 26th, to consider charter and new scheme." 29th—"The improvement of the draft scheme." I see that was preparing for us?—Yes.

3931. Except where there is special business does your committee meet often?—Once every month. The first Monday in each month.

3932. How many form a quorum of the committee?—Three. We generally have more, but three form a quorum.

3933. You are a member of the Board as well as Registrar?—Yes, under the old constitution.

3934. The average attendance would appear to be from four to five members on the committee?—I think that would be about the average, my lord. The attendance is written out on each day.

3935. Rev. Dr. MOLLOY.—In the first page of the draft scheme it is mentioned that the society had been enabled by the bounty of Parliament to build a house

in the city of Dublin, near the sea, that is the house

on Sir John Rogerson's quay?—That is the house now set to Sir Richard Martin and Co.

3936. Can you tell us what was that amount of money referred to as the bounty of Parliament, by means of which this house was built?—I do not know. I never had any necessity for inquiring. Therefore I am ignorant of how much it is.

3937. Lord Justice FRYGIERSON.—What are your duties as registrar?—To receive the funds and pay the debts, to keep the minute books and the accounts of the society, summon the committee.

3938. Who has the supervision of the school?—The committee. I am bound (my office being in the house), to see that all things are going on regularly.

3939. Have you an office in the house?—Yes, a small centre room was by resolution of the Board given for the use of the registrar.

3940. Is there any regulation as regards your attendance?—No.

3941. Are you bound to attend in the office at any particular time?—No.

3942. Are you supposed to have the supervision of the school?—Yes. But I am there independent of the society—about my own affairs.

3943. I see complaints about the state of the medicine bill—have the boys been healthy there?—Very healthy.

3944. Professor DOUGHERTY.—You have had a good deal of sickness there?—Not very much. We escaped wonderfully free from epidemics in that institution. There were epidemics affecting health in the premises on the quay before we left them.

3945. I see in 1883 a case in which it is mentioned?—That occurred in this way. The boys are allowed to go home—those who have parents or friends can go to them in the summer vacation, and on the return of the boys one of them brought back that illness.

3946. I find here, 2nd December, 1883. "The master reported a boy had returned to the school, the doctor having examined him, and certified that he was now free from the itch, and that the disease had disappeared from the boys." That would go to show that it had been prevailing with the boys?—No; he was isolated and kept away.

3947. Was that an isolated case?—The case of the treatment of that boy would be more properly answered by the master who is present.

3948. I find here again that another boy having a bad skin disease and suffering from sore eyes, was sent to the hospital on Surgeon Smyly's order, and was there progressing favourably?—Yes.

3949. Lord Justice FRYGIERSON.—There is no infirmary in the house?—No, but when a confirmed case of any disease happens, they are sent to the Meath hospital. Dr. Smyly gives a certificate, and they are admitted there. We have had one or two cases a few years ago.

3950. I see there was a boy who seems to have eloped or run away?—There was.

3951. How have these cases arisen?—As to the manner in which they arose, I think that can be better answered by the master who resides in the house.

3952. Are there any members of the committee who take a special interest in looking after the school?—They call in occasionally. I should say one of the most consistent is Dr. Campbell.

3953. He is the chaplain?—Yes; and Mr. Thomas Silbthorpe takes an active interest.

3954. Has the chaplain any fixed time for attending?—No.

3955. Professor DOUGHERTY.—On the 2nd March, 1884, a boy named Russell was ill of scarlatina, and was sent to the Cork-street hospital, and was then said to be progressing favourably?—Yes; that was an isolated case.

3956. Lord Justice FRYGIERSON.—Was there only one case of scarlatina at that time?—There was only one case of scarlatina at that time.

3957. Rev. Dr. MOLLOY.—Can you, Mr. de Lisle, from the records of the society, find out what was the

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Mr. Francis
De Lisle.

March 22, 1886.
Mr. Francis
De Lisle.

amount of the Parliamentary grant which was expended in building the house in the city of Dublin, near the sea, capable of receiving 200 children?—I think it is probable I can, but I am not sure.

3956. Perhaps you will be good enough to add that and include it in the return which you promised to the Lord Justice?—I will.

3959. Lord Justice FitzGibbon.—I have taken up your abstract, and your accounts do not appear to be closed each year at all. Look at this list of dividends. Your accounts are not balanced for the year?—A year's account each time.

3960. No, you will see in 1884 you have dividends for a year and a half, and that is because your account is not an account for a fixed period. Is your account of expenditure made up the same way?—Yes.

3961. Then you have no means of finding out whether you are spending more or less year by year, say on fueling?—No, except by a comparison.

3962. But you would be comparing different periods?—Comparing a year.

3963. But that is not the case. Here for instance you have a period of fourteen months in one case, and a year in another?—I think there is the means of comparing.

3964. Is there any provision in your bye-laws about balancing your account at a fixed time?—I am not aware.

3965. Lord Justice FitzGibbon.—We may take it that these accounts represent the expenditure for the year?

Mr. Stibbards.—Yes.

3966. Lord Justice FitzGibbon.—But the audit is not the audit of an account ending upon a particular fixed day of the year?

Mr. Stibbards.—It is not.

Witness.—For every quarter they got the quarterly accounts. The accounts go in to the master and he checks them, and they then come to me and it is my duty to present them to the Committee, and there is a quarterly examination made of the accounts. Then cheques are drawn to pay them after being passed by the committee.

3967. Lord Justice FitzGibbon.—For the year ending 18th March, 1885, the entire income derived from subscriptions and donations is £18 7s. 6d. Of that sum of £18 7s. 6d., I observe that £2 12s. 8d. was an anonymous donation lodged with the bank?—Yes.

3968. Therefore I find that you had altogether fifteen subscribers?—Some of them may neglect to send in their subscriptions.

3969. So that this constituency of yours consists of fifteen persons who subscribe the sum of one guinea each, and of four others who at some time or other previously subscribed twenty guineas and who are life members of the society. During the time you were there has that always been the case?—was there a similar constituency?—We have had several members who have died; at least four or five.

3970. Do you ever take any steps to get new subscribers?—Not very active ones, I confess; we have new members occasionally, and we will have others when the time for admission runs out. At present there are two gentlemen on our books for admission—Captain Hardy, R.N., and Mr. George Drury, merchant.

3971. Have they subscribed as yet?—No, when they are admitted they are admitted on terms subject to the payment of an annual subscription of not less than one guinea. Those are the terms upon which I communicate the fact of their being admitted to them. If they chose to give more than that sum of one guinea it would not of course be objected to, but the fact is that as a general rule no one pays more than the guinea.

3972. Rev. Dr. Molloy.—If these subscriptions dropped off, what would become of your society?—Well that is a question which I cannot answer.

I suppose an effort would be made to get new members. I cannot answer that question in any other way.

3973. Lord Justice FitzGibbon.—You have, I suppose, no representation from the outside at all, except these *ex officio* members?—No, we have not.

3974. Now what is the source of the stock which you have?—I will endeavour to get it. I presume that the book books of the society will show it.

3975. When was the Government Grant discontinued?

Mr. Toibg, *q.c.*—In 1839.

The Witness.—Yes; it was withdrawn in the year 1839.

3976. Rev. Dr. Molloy.—In whose hands is the management of the house?—The ordinary management of the house is in the hands of the schoolmaster.

3977. Lord Justice FitzGibbon.—As regards the admission of the boys, you can inform us?—They are admitted at a general meeting. Here are forms which show how the boys in the school at present were admitted (hands in form).

3978. You require a bond in £10, and admission to the rules of the society?—Precisely.

3979. And also that they shall continue in the society, until a proper age is reached, when they may be apprenticed to the sea service?—Yes.

3980. Do your boys as a rule go into the sea service?—Nearly all of them do.

3981. Have there been many exceptions?—No, only a few.

3982. Professor Douglass.—Have you any difficulty in finding ships for the boys?—Well, we have found difficulty lately.

3983. How do you arrange that?—The master has kept up communication with certain of the Liverpool shipping houses. I can tell you who they are if you wish. I have the names of them here.

3984. To what do you attribute the difficulty of finding ships for the boys?—Well, the general impression is, that it is because commerce has fallen off in a great degree, and that many ships are lying idle, and there is a great difficulty in getting ships in consequence.

3985. Do you follow the career of a boy, who has been apprenticed?—In some instances we do, but not in all of them.

3986. Then I suppose you cannot tell us how the boys have turned out?—Well, there is an entry in the registry by a former master, and I think it has reference to that very subject. There is a sort of sketch or history to show the career of these boys.

3987. Mr. Toibg, *q.c.*—What proportion of them go into the Royal Navy, and what proportion go into the Merchant Service?—A very small proportion of them go into the Royal Navy.

3988. Do you require a medical examination before boys are admitted to the school?—Yes. After the applications come in, the election takes place and they are elected, subject to inspection by the surgeon, and to giving security for good conduct. These are the conditions upon which they are elected.

3989. Professor Douglass.—How many proposing to enter the Royal Navy have been rejected at the medical examination?—Not many; but some of them have been refused here, and afterwards accepted at Devonport, when they were taken over by the master. There was a ship here in Kingsland, to which they were presented, and they found fault with the boys at examination, and the same boys afterwards passed at Devonport.

3990. You have had some cases of malnutrition?—There was an affection of short-sightedness by one of the boys. His parents—father or mother—applied to get him into the Navy, and when he was sent to the examination, it was thought he showed a little. But these are questions that really would be

were satisfactorily answered by the master, who accompanied the boys on all of these occasions.

3991. Lord Justice FRYGROVE.—Can you give us any information about the constitution of the society, or make any suggestions which would make it more perfect than at present?—My suggestion on the subject, I think, would not be worth much. I do not know very well what answer to give you to that.

3992. Dr. TRAILL.—Would it be advisable or not, do you think, to hand over the management to the Incorporated Society?

3993. Lord Justice FRYGROVE.—Or to have some representation of mercantile and marine service men?—Yes, I think a greater number of them would be of assistance undoubtedly, and I think of the two names on the books now for admission—one of them, Captain Hardy, of the Royal Navy, will be of service.

3994. Of your present members, life or otherwise, how many are connected in any way with marine commerce?—None directly. The principal number of the members are mercantile men.

3995. Mr. Fulgrave is a life member?—Yes.

3996. Does he attend?—We have not seen him for a length of time.

3997. Mr. Frederick Stokes is a member?—Yes.

3998. Does he attend?—He is gone to reside in England. He was a very active man when connected with the society.

3999. I do not see any other names of anyone connected with the marine service?—Not that I am aware of.

4000. Don't you think it would be of advantage to the society to have members having a business connection with shipping on your Board—for the purpose, for instance, of getting places for the boys?—Yes, I do. I think it would be an advantage.

4001. Do you think it would be likely to get support from mercantile men if they were represented on your body, and had a right to vote in the selection of boys for vacancies?—I do think it very probable.

4002. Have you ever taken any steps to ask for subscriptions to the society—any for instance from the Chamber of Commerce?—Never.

4003. Or from the Port and Dock Board?—No.

4004. Do you think it would be an advantage to your society if bodies like that were represented on your governing body?—I rather think it must prove to be an advantage.

4005. Is there any special training given to the boys in your school with the view of their being prepared

for the sea?—Yes; their ordinary course of teaching in the school is entirely with that view, and then they get some physical training with that object. There are books kept for them, and they go out three or four times a week in fine weather, and in the premises in Meriton-street there is a flag staff and apparatus arranged to teach them signalling by flags. A gymnasium, rope ladders, and other appliances for suitable exercise for boys intended for sea.

4006. Have you ever had a discussion about the removal of the school from Meriton-street to a more suitable locality?—Yes, it has been the constant subject of consideration.

4007. Have you arrived at any decision?—I think the present feeling which exists amongst the members is that a site for the school at the Pigeon House wall would be a desirable one, but there was a difficulty to be met. It has been the constant subject of consideration and we tried to get a site for the school.

4008. Have the Board considered whether or not it would be desirable to have the school removed from Meriton-street to a training ship?—It was agitated some six or seven years ago and the matter died out.

4009. Did they decide against it?—It was found to be impracticable so far as the knowledge of the Board went.

4010. Was the matter spoken of?—It was, most decidedly.

4011. Then they decided to retain the school on land?—Yes.

4012. Coming to that decision did they discuss the question of providing a sailing sloop in which the boys might gain some acquaintance with practical seamanship?—No, they did not.

4013. Was the attempt to give them some knowledge of that kind confined to the two boats which lie somewhere down on the quay?—Practical seamanship must be learned on board ship.

4014. Lord Justice FRYGROVE.—At what age do the boys leave you?—About sixteen.

4015. Their naval education begins after they leave you?—The practical part of it begins after they leave us.

4016. Dr. TRAILL.—Should they not be in the navy before they are sixteen years of age?—I am not able to follow that out. The master is here and he can answer for himself. I can say, however, that they get very close and general attention. I must say that. He is very careful in the discharge of his duty.

Mr. John H. Cole is sworn and examined.

4017. Lord Justice FRYGROVE.—How long have you been head master in the Marine School?—Four and a half years.

4018.—What assistance in teaching have you?—I have one monitor.

4019. Do you yourself with one monitor constitute the whole teaching staff of the school?—Yes, my lord.

4020. Have you any visiting teachers?—None, except for an industrial class in tailoring and darning. We teach the boys to mend and darn their own clothes, and a man comes for the purpose of giving instructions.

4021. What is your own salary?—£100 a year.

4022. And how much is the monitor's salary?—£4 a year.

4023. Do you get your board and lodging as well?—No, I do not. I get coals and gas, and apartments.

4024. How are the boys fed—who looks after the purchasing of supplies?—I superintend the orders for the dietary, the housekeeper looks after the cooking, and I see that it is properly cooked.

4025. Then there is a housekeeper besides?—Yes there is, and one servant.

4026. How many servants are there?—One servant and the housekeeper.

4027. What is the housekeeper's salary?—£30 a year and board and lodging.

4028. And the servant's wages?—£14 and board and lodging.

4029. Then the entire resident staff according to this consists of four persons?—Yes.

4030. And then there is the outside tailor?—Yes.

4031. How many boys are there in the house?—There are thirty in the house at present.

4032. That is less than you had before, is it not?—The average number of boys in my time has been thirty-two.

4033. How does the number happen to be reduced at present?—In November and December we sent four boys to sea.

4034. When will the next admissions take place?—In May—about May.

4035. Have the number of vacancies been fixed as yet which are to be filled up in May?—No.

4036. How many boys is the house in Meriton-street

March 26, 1906.

Mr. FRYGROVE
Dr. TRAILL.

Mr. John
H. Cole.

March 27, 1881.

Mr. John H. Colvin.

capable of accommodating?—It can accommodate thirty-four conveniently.

4037. How many dormitories are there in the house?—Five.

4038. What is the largest number of boys in one dormitory?—There are two with ten boys in each.

4039. And the others?—Two four and a six. Then there is a spare dormitory which is available in case of any infectious disease.

4040. What schoolroom have you?—We have a fine room that used to be the drawingroom of the house.

4041. Is it the front and back drawingrooms?—No, the front drawingroom only.

4042. How is the back drawingroom used?—I occupy it. In the back parlour down stairs the boys dine, and there is a gymnasium.

4043. That would be the former stable I suppose?—Yes.

4044. The house was originally a private house?—Yes.

4045. And not built for a school?—No.

4046. What space have they for a playground?—Mr. De Lisle.—About 250 feet, and a gymnasium was erected by the society which is fitted up with every appliance—climbing ladders and everything of that sort.

4047. What about the buildings which were formerly the offices?—Witness.—They have been pulled down.

Mr. De Lisle.—They were in a bad decayed condition when the society went there, and they had to be taken down. Some of them were almost in a falling condition, and the space has been covered with a large gymnasium.

4048. There are no offices except those used for the school?—No.

4049. What is your course of instruction?—Thorough English, mathematics, navigation, nautical astronomy.

4050. Where were you educated, Mr. Colvin?—In a National school in Limerick.

4051. Did you become certified as a National teacher?—No.

4052. Have you any nautical experience yourself?—I have, although I have not served an apprenticeship at sea.

4053. In what way did you obtain it?—Sailing, and yachting with friends of mine.

4054. Have you studied navigation?—I have a certificate under the Science and Art Department.

4055. And what other subjects have you qualification for as a teacher?—Well, in special subjects—music and singing.

4056. How are the boys divided in classes?—In five divisions—four at present.

4057. And how does one master manage to teach so many classes?—I manage to have part of them in the docks and part of them on the floor at the same time. I have to make arrangements in that way.

4058. Dr. TRAILL.—Where have you been trained to teach yourself—were you at Marlborough-street?—No; I was four years head master of Cuslebrook Parochial school before I came here, and before that I was two years head master at Yvelon.

4059. What was the date of your appointment to the school of the society?—November 1st, 1881.

4060. What does the maintenance of these boys cost in the year, do you know?—The servants are included with the boys, and the average for last year is £11 17s. 9d. That includes the diet of the servants, which varies from the boys.

4061. Dr. TRAILL.—Do you mean the average calculated on the number of boys or on the number of persons in the house?—On the number of persons in the house.

4062. Lord Justice FRYGEMAN.—What does the clothing cost?—About £3 10s. That is exclusive of the drapery and sheeting.

4063. Dr. TRAILL.—Personal clothing?—Yes; a suit, collars, boots, cap, slippers, suspenders, ties, and so on.

4064. Lord Justice FRYGEMAN.—Are any payments made for the boys when leaving?—An outfit to the

value of about £9 is given to the boys for the merchant service. The boys going to join the navy get nothing except their expenses to the ship.

4065. Have you got a fixed distary?—Yes.

4066. Have you got it there?—Yes. It varies a good deal.

4067. The boys get meat joints twice a week, Irish stew one day, suet pudding two days, Scotch broth another day. One day no meat?—Yes; they get the same quantity of meat in the Irish stew. Bread and milk for breakfast or porridge, and sometimes they get cocoa and the same allowance of bread.

4068. Lord Justice FRYGEMAN.—The hours I see are 10 to 1 school, and 1.30 to 5 school?—Yes.

4069. Rev. Dr. MOLLOY.—Is the monitor one of the boys?—Yes.

4070. And does he teach?—He does.

4071. One of the junior classes, I suppose?—One of the junior classes.

4072. What do you teach under the head of navigation?—Well, the various methods of finding out a vessel's position at sea, so far as the qualifications for second mate, the sextant, to find the course, allow for leeway, the working of the compass in iron ships, to find the compass deviation, and so on, to calculate by dead reckoning and so on.

4073. Have you nautical apparatus?—Yes; a quadrant and compass.

4074. Have you a sextant?—No; the quadrant supplies its place to some extent.

4075. As a rule, do the boys who leave you go into the merchant service or the Royal Navy?—Generally into the merchant service. Last year three were ten of them went—eight into the merchant service and two into the Royal Navy.

4076. Professor DOUGHERTY.—Considering the advantages of the Royal Naval service, how do you account for so many of the boys entering the merchant service?—I consider that they have better advantage in the merchant service. They have the prospect of becoming officers in the merchant service, and they go before the mast in the navy.

4077. Have you found any difficulty with them in passing the medical examination?—Yes, I think two boys during my time were rejected at Devonport, and all were rejected by the *Belleville* at Kingsdown.

4078. In your time?—Yes, all who were sent there were rejected.

4079. How many were rejected at the *Belleville*?—I should say at a rough guess about fourteen.

4080. Lord Justice FRYGEMAN.—On what ground were they rejected?—One boy had something wrong with his foot. The boy afterwards passed in the *Imperieuse* at Devonport.

4081. Another boy was not enough over the chest?—He passed at Devonport.

4082. Another had bad teeth?—He was rejected at both places.

4083. Another boy had some disease—in all fourteen boys were rejected?—Yes, and all except three passed afterwards at Devonport.

4084. Do you mean that eleven out of fourteen who were rejected at Kingsdown passed into the navy service at Devonport?—I do; the *Belleville* is not a training ship, it is only a receiving ship.

4085. Was it on the ground of physical inefficiency they were rejected at Kingsdown?—I do not understand it.

4086. Dr. TRAILL.—Was it by a doctor they were examined?—Yes; I do not understand it, unless it is that they have some objection to taking Irish boys, I do not know how it is. They always found some fault with them, and yet they were afterwards passed at Devonport.

4087. Lord Justice FRYGEMAN.—How do you send them to Devonport?—I go with them.

4088. And the result of this examination at Kingsdown is that you have had to go with eleven boys all the way to Devonport?—Yes, I went during the summer holidays and brought some of the boys there then.

4089. Professor DOUGHERTY.—You have had some cases of malingering I believe?—Yes, there was one case of malingering on the *Bellefleur*. The surgeon there told me the boy did not want to pass.

4090. Is that the only case of malingering you had?—That is the only case in which I am sure there was malingering.

4091. Dr. TRAILL.—Have your boys been rejected at all on any other grounds except from physical causes?—No.

4092. Professor DOUGHERTY.—You have had from time to time a good deal of illness?—I would not say that we had a good deal. On some occasions we had our share of it. But on the whole I think the boys have been fairly dealt with in that respect.

4093. Dr. TRAILL.—What classes are these boys taken from?—They are the sons of sailors.

4094. Are there many conscripts' sons amongst them?—There are; I could not say how many, but I should say the majority of them.

4095. Do you mean sailors in the Royal Navy?—In the merchant service or Royal Navy. Of course the conscripts count in with the Royal Navy.

Yes, J. G. Scott, B.A., *Archdeacon of Dublin*, an ex-officio Governor, sworn and examined.

4101. Lord Justice FRINGHAM.—Mr. Archdeacon, we want to know whether you can give us any assistance in carrying out the proposal of putting this society on such a basis as would tend to make it more what it was originally intended to be—a large place supported by nautical men, and existing for the purpose of supplying the navy and the merchant service with young sailors?—I was very much struck, just as you are, with the fact that an institution like this—which really gives me the impression of being a very well managed institution, should excite so little public interest and sympathy, as judging by the amount of the annual subscription it only does; when I thought of that fact I was met by this other consideration that whereas the government have for year after year continued the paying a large fund for a school for providing for the army, the government have not at the same time thought it worth while to make a grant, for a large number of years for this school for supplying the navy. It seems to me therefore, that that must be taken as an indication of opinion from the government, giving a very strong hint to the public that there was not very much want for the school, and that the public have taken that hint and have said “well we don’t see why we should give it any concern or take any interest in it.”

4102. But you are aware that the *Hibernian Military School* gets no income from subscriptions. It has donations from private property?—I do not know about the *Hibernian Military School* except that it has a very large annual grant.

4103. It is £8,000 a year, I believe?—But there was a hint some time ago which fell in with what is in my own mind, that possibly, if some ex-officers, naval or mercantile, were added—say a couple—to the governors, who might be nominated by bodies which are connected by commerce, and the very two which you mentioned are those which occur to me, the Chamber of Commerce, and the Port and Dock Board, if these, I say, were to nominate representatives with the view of keeping up this school, and attracting public assistance to it, it might have some effect in the right direction.

4104. It was meant to be a school for the purpose of training up boys for the sea, as their profession, and it appears that a large proportion of the boys do go into the marine service. Therefore, it is a training school for the sea. Now, surely it would be of advantage that there should be some connexion with the marine profession in the management of it?—I think it would be well to pass some questions to Mr. Campbell, who has had a very long connexion with the school. With regard to the school, and the applications for the children of seafaring men, I have had some knowledge myself. I have had some acquaintance with

4096. Professor DOUGHERTY.—Have any of the boys been expelled from any cause from the school during your time there, Mr. Colvin?—Yes; two of the boys have been expelled from the school for bad conduct, and one boy eloped—he ran away, and he would not be received back into the school again.

4097. Do you find much difficulty in maintaining discipline in the school?—No.

4098. Were the ten pound bonds enforced in these cases which you have mentioned?—I know they were enforced in the one case of the boy who eloped.

4099. Mr. TWIGG, Q.C.—Do the boys leave the school at any fixed age?—That would depend upon how the vacancies offered in the shipping line, but as a rule they leave the school from fifteen to sixteen years of age. In the merchant service they prefer the boys to be sixteen years of age. In the navy they are taken from fifteen to sixteen and a-half years, but for every half-year over fifteen they must be about an inch taller and the same in chest measurement.

4100. How many boys on an average do you turn out in each year?—I should say that you might take the average as being about seven.

regard to fishermen while I was in Bray, and I think that it would be fair to allow their claim. I believe there have been some children admitted who are not orphans. Mr. Campbell could give you information with reference to that.

Mr. TWIGG, Q.C.—There have been no reports of this society made public at any time.

4105. Professor DOUGHERTY.—You have recently taken steps to advertise the existence of this school in seaport towns.

Mr. De Lisle.—Yes, we have.

4106. And the school is practically open to the whole of Ireland?—On the occasion of every election we advertise the election. Here is the usual form of advertisement. We always advertise in that way, and it is put in the three Dublin papers.

4107. How long is it since you began this practice of advertising?—So long as I remember it was always done, but I have more extensively advertised lately, in consequence of the boys not coming in so rapidly in answer to the advertisement. It is also advertised in five seaport town newspapers—Belfast, Cork, Waterford, Wexford, and Londonderry, and the advertisement is also printed in the form of a placard, and it is sent to each newspaper, and also posted in the locality. That is done on both the north and the south side of the river Liffey, and at Kingsdown, and at Ringsend, on the occasion of each election to a vacancy.

4108. Dr. TRAILL.—Does it appear to be necessary to advertise the whole world over for so few vacancies?—On each occasion the Board endeavored so to attract the number which would fill up the vacancies.

4109. In last November for the six vacancies how many candidates had you—roughly, from memory will do—had you twelve?—There are the number of application papers which show on each occasion—thirteen.

4110. Lord Justice FRINGHAM.—Do you remember, at their last election, what cases came before the Board?—You have it there before you. As soon as the applications come in they are reduced to a form, and printed, and a copy of that is sent to every member of the Society, with a notification of the day of the election, to give them an opportunity of looking over the list.

4111. Surely if you take the proper steps with such a large endowment, and such valuable education, you would be able to get a larger number of persons to subscribe if they had a voice in the election of these boys?—Very probably we might.

4112. Dr. TRAILL.—Mr. De Lisle, what about the case of insufficient security?—I think in that case the boy was admitted afterwards, that the parent was written to, and other securities substituted.

March 25, 1866.

Mr. Thomas
Sillchorpe.

Mr. Thomas Sillchorpe sworn and examined

4113. Lord Justice Fitzgerald.—You, Mr. Sillchorpe, are one of the Governors of the Hibernian Marine Society?—Yes.

4114. And I believe you are a Justice of the Peace of the county Dublin?—Yes.

4115. How long have you been connected with the Society?—About six years.

4116. Your own business is not nautical, I believe?—No. But still I have to do with shipping. I have to do with ship owners, for I ship goods.

4117. Will you tell us from the experience you have had, how you account for the fact of there being such a small amount of subscriptions?—Since I have been on the board I have done so very easily to my own satisfaction. In the first place, 999 out of every 1,000 people who go through Merriestown-street do not know that it is a school at all, and particularly do not know that it is a marine school. In my opinion, it is about the last place in the world for a marine school. I think I have been bringing round the opinion of the board to see that it should be removed from that to some place where it would be very much nearer to the sea. I think you can trace all the difficulties—want of subscriptions and every thing to that fact.

4118. Professor DOUGHERTY.—Have you been thinking at all about removing the school to a training ship?—We have discussed that, but as we take boys of nine years of age, perhaps bringing them to a ship would not be best.

4119. Lord Justice Fitzgerald.—You are of opinion, that the premises in Merriestown-street are not the best suited for a marine school?—Certainly not.

4120. Rev. Dr. MOLLOY.—Are you under any necessity of disavowing the fact, that these premises in Merriestown-street are a marine school?—Certainly not.

4121. It has none of the external appearance of a school?—I do not know that the gentlemen living in the neighbourhood might like it—but as a matter of fact we are not bound in any way to conceal it.

4122. Lord Justice Fitzgerald (to Mr. Dr. Lisle).—Have you got the head lease of the house?—Yes, here it is. It provides that the house shall not permit the premises or any part thereof to be used as a tavern or public-house, or as an open or public shop, or for the purposes of any art, trade or manufacture, and so on—I do not see anything here that would prevent you from using it as a school.

4123. Dr. TRAILL.—Except the use of a large placard or advertisement?

Mr. Sillchorpe.—Or anything except a large brass-plate.

4124. Dr. TRAILL.—You have that?—No. The matter with regard to the desirability of removing the school to a more suitable place has gone so far that a sub-committee was appointed to find a site, but then intervened the Act which appointed this present Commission, and we were prevented from going any further into the matter.

4125. Then your first idea is, that the school should be removed from where it now is?—That is my impression. I think that it ought to be some place convenient to the sea. There are many reasons which can be brought forward in favour of that view. For instance, when the boys start from Merriestown-street to exercise in the boats, it is a long walk from there to Ringsend, and passing through the streets of the city, in order to be decent, to present a decent appearance, they have to go in their best clothes, whereas, as any one can fancy, in a boat the worst thing a man can put on him would be the best thing he could wear, and of course the boys come back with their clothes the worse for salt water. Of course they have to take care of their clothes, and that makes them hate the water and the boats.

4126. Do you think you would be able to get for the premises in Merriestown-street, if you cleared out of them, the sum of money you seek in them?—I think

not. We got a report in which it was valued at only £1,400. I think that is rather low from what I know, but taking into consideration that a good deal of money would have to be spent, very likely that may be a substantially accurate estimate.

4127. Rev. Dr. MOLLOY.—Are you subject to head-rent?—Yes; £40 a year.

4128. And your lease has fifty years to run?—Yes; it is a very fine house.

4129. Dr. TRAILL.—Do you think that some of the gentlemen in Dublin, who have schools in small premises, would not be glad to try and come to a bargain with you?—Perhaps they would.

4130. Lord Justice Fitzgerald.—I understand you to say, that some steps should be taken to get money?—Well we have tried to save money.

4131. You have some?—We have £800 saved.

4132. And you would have what you get from the premises and £800, to provide a new place?—Yes.

4133. Now as regards the governing body of the society?—We have tried several times to get persons who are connected with the sea to join the Board. There is the Secretary of the City of Dublin Steam Packet Company for instance, but he said he could not attend the meetings, and so of course, that rendered it impracticable. You generally ask a gentleman will he join, and if he says "very well" he is proposed, but generally speaking, we don't propose him unless he is likely to be elected.

4134. The charter provides, that you should get the subscriptions first and elect them afterwards?—Yes, that is so. They must be subscribers, or they are not eligible for election.

4135. Have you ever taken any steps publicly to get funds?—No.

4136. Professor DOUGHERTY.—You tried to increase the number of paying governors?—Yes.

4137. Lord Justice Fitzgerald.—If the endowment of £1,300 was to be supplemented by subscribers who should have the privilege of electing boys is got the advantage of that endowment—do you not think you could get subscribers in that way?—Yes, but you see there are so many restrictions.

4138. What restrictions?—Well, first of all, they must be Protestants. That is easily got over, but then there are other restrictions about their health, and age, and fitness for the sea. They must pass Dr. Smyth before we take them in. I would not see any objection to giving subscribers the power of election. If the thing was accompanied by greater endowments, if it was put on a broader basis, and established in a more suitable locality where we could bring people to see what was being done, and advertise the thing a little—if that could be done I do not think there would be any difficulty about getting increased subscriptions.

4139. What suggestion have you to offer on the matter?—Why to make the thing broader—as regards more boys and so on, and to make it more public.

4140. What about broadening the basis of your governing body?—I do not think that would be necessary. The only really useful governors would be such men as the Secretaries of some of the Steam Packet Companies, or men directly connected with the shipping interests.

4141. There is direct representation of shippers on the Port and Dock Board?—Yes; you could easily select one or two from amongst them. But the question is would they attend. There is no use having men who will not attend. We would several times have elected men if they would attend.

4142. Professor DOUGHERTY.—Still you elect the Archbishop, the Lord Lieutenant, and other people who are not likely to attend?—Well that is following out the old charter. We had no society to alter that very much. I do not see how it could be opened further—or at all events completely wide, any one can see that.

4143. You do not propose to take power to elect

all denominations?—Well no, because we are supposed to be the school to teach them the Scriptures.

4144. Lord Justice FRZGRAN.—You could not conduct a boarding school except on the basis of some denomination?—It would be impossible to manage it with a mixed board. It could not be managed in a satisfactory way as a mixed boarding school.

4145. A mixed boarding school—of Protestants and Catholics could not be managed at all?—No, not if it was a mixed one, unless it was so large that you could practically divide it into two.

4146. Should there not be a representation of men connected with marine interests?—I suppose the Chamber of Commerce would answer—I do not see any objection to appointing them.

4147. Professor DOUGHERTY.—You take in boys of a great many Protestant denominations, I suppose, as well as Church children?—Yes, the great majority are Church children, but we take Methodists and Presbyterians—we have no restrictions about them.

4148. Do they all attend Church together?—They must attend Church children when they come to us; they must attend the church services.

4149. You are aware that at the Hibernian Military School provision has been made for both Protestant and Catholic children, and also for Presbyterians?—I do not know about the Presbyterians. I know there was a Protestant and Catholic chapel.

4150. Do you think there would be any difficulty in putting the Marine school on the same basis?—Not if it was so large a school. I don't suppose you could get every school on the same basis as they are.

4151. If you widened its basis would it not be larger?—But not so much as that.

4152. Dr. TRAILL.—If you get a Government grant of £5,000 a year, I suppose you might do it?—Yes; we should get a Government grant for the chaplains.

4153. Professor DOUGHERTY.—I assume that if a Parliamentary grant was obtained it would be for the purpose of making it an open institution like the Hibernian Military School. With the £1,500 which you have, what immediate steps do you recommend to be taken?—I do not think we could throw open the school to Catholics and Protestants. It would at once increase the cost even with the same number of boys, for there should practically be separate schools.

4154. You could appeal to a wider constituency for subscriptions?—I am not sure that we would get subscriptions to warrant us in doing that.

4155. Dr. TRAILL.—You would not get so much money for a mixed as a denominational school?—We would probably lose part of what we have.

4156. Professor DOUGHERTY.—The loss of your present subscriptions would not be a very serious affair?—No, but I was referring to an attempt to get more.

4157. Rev. Dr. MOLLAY.—Do you think that the Catholic community would not be willing to pay fifteen guineas in order to get a share of the £1,500?—But do you think that the division of that in that way would conduce to any good on either side? I would wish to say something in explanation to you about what the master said as to the boys being rejected in the Belleisle. It should be understood that the Belleisle is not a training ship, and if the boys are passed there they have to undergo an examination afterwards at Devonport. If the officer is not particular here he may pass a boy who will be rejected afterwards.

4158. Lord Justice FRZGRAN.—And he makes sure about that by passing none of them?—You know there is nobody without some failing of that sort. He may be afraid that the boy he passes here may not pass there, whereas there is no one over the man at Devonport, and so he passes them.

4159. Rev. Dr. MOLLAY.—And he adopts the safe rule of refusing them all.

4160. Professor DOUGHERTY.—What did you say about providing a sailing ship?—We came to the decision that we should give authority to a sub-committee to seek for a site near the sea. It was required of the

committee to report whether some small vessel like a trawler, some such kind of sailing boat could not be got.

4161. Dr. TRAILL.—What district did you think of for a site. Was it in Dublin or elsewhere?—We had before us a spot near the Coastguard Station on the North Bull.

4162. Do you think that the mouth of a large port like Dublin would be a good place to select for a site for a school of this kind?—We had another question about Dalkey Island, and about portion of the North Bull, but of course there is nothing of that kind settled.

4163. Rev. Dr. MOLLAY.—What was the idea, do you know, of changing from the quay to Merion-street?—I was not on the Board then.

4164. Lord Justice FRZGRAN.—That was inquired into before, and we were satisfied that the premises on the quay were entirely unfitted for the school. They were surrounded by masonry works, and were below the level of high water mark, and it was a most inconvenient locality. There was also a financial reason, that the place had become of greater value for commercial purposes?—You remind me that the principal reason we had was that there is a tract of ground having a frontage which is more valuable than the house. That is the reason why we gave such a small lease.

4165. Dr. TRAILL.—Does not that apply to the 30 years?—I do not know.

4166. Do you think that the buildings on the ground would be of value?—You must recollect that it was partly burned, so that it does not come into calculation. The fire caused inquiry to be made as to whether it was better to go into spending money there or not.

4167. Professor DOUGHERTY.—Do you think that the discipline of the school is satisfactory?—I believe it is. I think it is too much—that the boys are kept too quiet for the profession which they are intended for.

4168. Had you ever a visiting committee of ladies?—We had not.

4169. Do you think that gentlemen are best qualified for looking after a school of this kind?—The school is so small that we are able to look after it very well. The house is not so clean or as well done up in the way of decoration as it might be, but we have kept from spending money because we intend to leave it as soon as we can.

4170. Lord Justice FRZGRAN.—Can you give us the average expenditure for each boy, bringing in everything, establishment charges and all?—That would be nearly enough found out, £1,300 divided by 32 would be about it. It is under £40 apiece.

4171. Professor DOUGHERTY.—That is enormous!—The cost of the boys is very low. Rent is in that and insurance. And in fact there is the rent of the Sir John Rogerson Quay premises. It is under £40.

4172. That includes the paid officers?—That includes everything—outfit, salaries, and so on.

4173. How many officers are members of the governing body?—Only one: there is a provision in the charter that none except the Registrar shall be.

4174. Rev. Dr. MOLLAY.—Is the number of applications for admission to the school much greater than the number of boys received?—It is. In making our selection of the boys from the lists we always try to select them from out of the largest families—the family which is the most numerous and which has the smallest income. If a man has a good income and not a large family we do not select that boy.

4175. Lord Justice FRZGRAN.—Do you insist on the boy being connected through his father with the sea?—We do—invariably.

4176. They are all orphans or children of people who have been or are in the marine service or in the navy?—They always have been.

Mr. De Lisle.—And the ships on which they have served must be stated.

4177. Lord Justice FRZGRAN.—When you say that there is a sufficient number of candidates you mean of qualified people?—Yes, we could get very many more.

March 12, 1882.

Mr. Thomas Stothorp.

- March 27, 1886. 4173. Dr. TRAILL.—How many more could you manage if you had accommodation?—Twenty.
4174. Professor DOUGHERTY.—I think you might double your number?—Perhaps we might.
4180. Dr. TRAILL (to Mr. Stilleker).—Is the proposal about the fishermen necessary, do you think?—In some cases you might regard fishermen as being seamen. Fishermen in travellers would be seamen within the meaning of the charter.
4181. They would not be considered in the marine service?—I certainly would not consider row-boat fishermen so, but it is a different thing in the case of men in the travellers, who are out for weeks.
4184. Professor DOUGHERTY.—Do you think it very desirable that they should be included?—I think so, because they are a very deserving class of men as a whole.
4184. Mr. Foley, Q.C.—Do you think that this institution is conducted on the whole as cheaply as

possible?—The only way to take in more would be, of course, that there should be very little more expense. We would only need an additional master and we could take in 20 or 30 more.

4184. Dr. TRAILL.—Do you think that one master and one monitor is sufficient for the teaching requirements of the school?—I think the master does it very well. He passed nineteen boys one year, and eighteen another year in the Science and Art Examination; and we have an examination every year, and the results are very favourable.

4185. Who is examiner?—Professor Wilkinson of the Church Education Society. He made a very good report on the boys. They get a quite good enough education for the position of life which they are to occupy, and a great many of them become masters and masters.

The Commission then adjourned.

March 28, 1886.

TUESDAY, 23RD MARCH, 1886.

At the Office, 23, Nassau-street, Dublin.

Present:—Right Hon. the LORD CHANCELLOR and the Right Hon. Lord Justice FRIGGESS, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.B.C., F.R.S.L., ANTHONY TRAIL, Esq., LL.B., M.B., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

*DRUMMOND INSTITUTION, CHAPELIZOD.

Mr. Edmund Hannock, Barrister-at-Law (instructed by Messrs. A. Robinson & Son), makes a statement on behalf of the Governors of the Drummond Institution.

Drummond Institution, Chapelizod.

John Robinson, Esq.

John Robinson, Esq., J.P., sworn and examined.

4186. Lord CHANCELLOR.—You are one of the original trustees of the institution, under the will of the late Alderman Drummond?—Yes.

4187. And you are now the sole survivor?—Yes.

4188. What are the funds you have at present available for the purposes of the institution?—We have the £20,000 left under the will of the late Alderman Drummond.

4189. And that £20,000 is at present lodged in Chancery?—Yes.

4190. Lord Justice FRIGGESS.—The figures are £13,750 18s. 8d., in the new three per cents, and £7,250 3s. 3d. in consols, so I suppose there was some small accumulation before the money was invested?—No; the two sums of Government stock represented £20,000 only at the price of the day, when transferred.

4191. Lord CHANCELLOR.—Have you any other capital fund besides that £20,000 odd?—Yes, we have £800 in Great Southern and Western Railway stock.

4192. In whose name is that?—That is now standing in my name as survivor of the two trustees. Mr. Parker, my co-trustee, has died.

4193. I see in the account a bequest of £300 from Miss Abraham—has that been received?—Yes.

4194. In whose name is that held?—It stands temporarily in the names of trustees, our chairman and myself, we keep it for the general purposes of the institution.

4195. Does this balance sheet of 1885 represent correctly the disbursements?—Yes. I think so; it is audited twice a year by a professional auditor, Mr. Shanks.

4196. I see by this report, that your income appears to have been £2,336 2s. 10d. for the year 1885?—Yes, but that includes a balance of £416 in hand, at the beginning of the year.

4197. How many children have you in the institution at present?—Fifty.

4198. How are these children selected?—The most pressing cases first—those in the greatest want. We take the list of applicants before us; my colleagues, the military men generally, look down the list and we select what we believe to be the most desirable case. We know nothing of these cases before hand.

4199. There is a rule in the scheme entitled by Master Murphy, as to the priority in which you are to select the children?—Yes; those who are total orphans first; then we have a second class, those whose fathers are dead and the mothers still living; and a third class where the father is living and the mother dead, and a fourth class which we have never reached, where both parents are alive, in fact, I think we have never reached the third.

4200. Lord Justice FRIGGESS.—About what number of the class you admit would you have as candidates to select from?—We probably have a list of twenty or thirty.

4201. Rev. Dr. MOLLOY.—How many vacancies would there be for the twenty or thirty candidates?—We fill up every vacancy as it occurs.

4202. Do you keep your number fixed at fifty?—We don't go beyond that; our house would not conveniently hold more, nor have we the funds to maintain a larger number.

4203. How many vacancies would there be for these thirty candidates?—Sometimes two and sometimes one. Whenever a vacancy occurs we fill it up.

4204. Lord Justice FRIGGESS.—You have no fixed time for elections?—No, just whenever a vacancy occurs. Sometimes two or three vacancies occur together, and we usually select candidates whenever there is a vacancy.

4205. Lord CHANCELLOR.—How many governors are there altogether?—I could not answer that, because the number of ex officio varies so much. Every officer in the garrison above the rank of major is a governor.

March 21, 1886.
John Robinson, Esq.

4201. There is a provision for the election of a committee of seven governors?—Yes.

4207. Who are the present seven?—I am the survivor of the original seven. The present seven consist of myself, Colonel Busbanan, Deputy Quarter-Master General, who is our chairman. Colonel Hutt Noble, Commanding Royal Engineer in Ireland; Colonel Hill, Commandant R. H. M. School; Surgeon-Major Hamard, C.B.; Colonel H. Leason, R.H.A.; and Lieutenant-Colonel Turner, R.A.

4208. How often do the committee meet?—Once a month.

4209. I presume you attend very punctually?—I am almost always there; I missed one meeting when I was abroad last summer; there are only twelve meetings in the year.

4210. Do you find that the other members attend punctually?—No; not the military men, and there is sometimes a difficulty in making a quorum, but when we had the old number of civilians—five—generally three or four of them were present at every meeting.

4211. With the exception of yourself, the members of the committee are military men?—Yes.

4212. Do you find a difficulty in obtaining a quorum?—Yes; we must get more civilians as governors.

4213. Lord Justice FitzGibbon.—What is your quorum?—Three.

4214. Isn't it a very small committee?—It is the working committee settled by the scheme.

4215. Lord Chancellor.—There is a provision as to appointing a sub-committee?—Yes, but we never required to do so.

4216. As a matter of fact, is there a sub-committee?—There is a committee of seven.

4217. But there is a provision in the scheme that the committee shall have power to appoint a sub-committee consisting of not less than three persons?—That is not necessary. We go at our business, and we don't quit it until we have finished it.

4218. Lord Justice FitzGibbon.—I see you receive a large number of subscriptions from leading mercantile firms in Dublin—do any of these subscribers attend your annual meeting?—No, they are not governors.

4219. Are there any considerable number of civilians who attend the annual meetings?—No; unless they see governors; the meeting is a meeting of governors only.

4220. A subscriber does not constitute a governor?—No.

4221. Do you think it would facilitate your getting a quorum, and obtaining men on the committee who have an interest in the institution, if there was some sort of franchise for a governor?—No. We shall not want that when we have enough civilians on the committee.

4222. How do you propose to get more?—The scheme now in the Vice-Chancellor's court provides for seven, and the means for electing new civilian governors when vacancies occur, and we will have no further difficulty in the matter. That was the one blot in the original scheme.

4223. Who are to elect the new governors?—The committee are.

4224. Are they compellable to select civilians though the civilians may have never subscribed, and may never attend the meetings?

Mr. Maunsell.—No, but any governor who does not attend may be removed; and it is to be assumed that the governors will not co-opt a gentleman who never gave a shilling to the school.

4225. But some difficulty may arise unless there is a provision that subscribers of a certain amount shall be governors for the annual meeting of your governors, while some higher franchise might exist for the committee—your committee is to be filled up in future by election by the general body of governors?—It is to be filled from the general body of governors,

of course, and we shall take care that on the committee of seven we shall have three civilians, at all events; and if we have three we will always, no doubt, secure a quorum.

4226. The difficulty seems to be, that the general body of governors are bound to elect members from their own body to be on this committee?—That is so.

4227. And if that be so, and the only existing governors are those military members, where do you propose to get the raw material for your committee of laymen?—We have power under the new scheme now in court to co-opt members as old members die out.

4228. And these new members are to be qualified to act as governors?—They may be anybody under this scheme; they are not governors until we bring them in.

4229. Would it not be well to make a proviso that they shall be subscribers or have some practical interest in the institution?—We would only co-opt suitable men.

4230. Dr. Traill.—But the same difficulty might arise as across the other day in the Marine school if you confined it to subscribers—you might not have subscribers enough to select from?—We are not so bad as that.

4231. Lord Justice FitzGibbon.—That state of things is not likely to arise as long as Mr. Robinson is alive to take such an active interest in the institution?—We have been very well supported.

4232. Lord Chancellor.—If you did not get in the funds you should cut down your establishment?—Yes.

4233. I see that thirty-three of the children are Protestant, and seventeen Catholic?—Yes.

4234. Canon McDonagh is the Protestant clergyman?—Yes, I believe Mr. Donnellan is the parish priest.

4235. How often does the Protestant clergyman attend?—He attends once a week I understand, and the other children are taken down to the priest by the Roman Catholic mistress, Miss Connolly, who has been with us a very long time—fifteen years or so.

4236. Are the Protestant children sent to church every Sunday?—Yes, and the other children go to the Roman Catholic Chapel.

4237. Lord Justice FitzGibbon.—I see a very great number of regiments amongst your subscribers—have you any system by which you apply to all regiments or only to those quartered in Ireland?—Oh, our applications are more general, but I would prefer you should ask our secretary, Mr. Kirke, about that.

4238. Lord Chancellor.—Is the Roman Catholic clergyman allowed to visit the Catholic children in the school as you say Canon McDonagh visits the Protestant children?—He has never sought that permission, and the children are brought down to him at the chapel.

4239. Has he never sought that permission?—No, I think not.

4240. By Mr. Maunsell.—Permission would be given at once if asked for?

Witness.—Certainly, we provide separate rooms for the religious education of the Protestant and Roman Catholic children by the mistresses, and of course if he wished to attend when the Roman Catholic children were being taught we would be glad to see him.

4241. Professor DOUGHERTY.—Can you tell us the average cost of maintenance?

Lord Justice FitzGibbon.—I have made it out. The income last year was on the account we have before us, £2,236 2s. 10d., but that includes, £415 10s. 8d., balance on hand leaving the net income during the year, £1,819 3s. 1d. It is right to say, however, that that includes £200 legacy, so that it is a little more than usual—the disbursements balancing the £2,236 2s. 10d., include £486 11s. 8d., cash invested in Government security, and £452 7s. 6d.

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balance in hands of treasurer, making altogether, £938 19s. so that the expenses during the year were £1,297 3s. 10d., which I make out to be £35 18s. a head gross.

4242. PROFESSOR DOUGHERTY.—Do you give any publication of the existence of a vacancy when it occurs? *Witness*.—No.

4243. Then you have a permanent list of applicants?—Yes, we have a large number of applicants always on the list. We have never reached the end of the list—we never go nearer exhausting the list than I suppose within twenty or thirty of those who apply.

4244. I think it was an absolute direction of the testator that you should conduct the institution on the plan of the Royal Hibernian Military School?—We conduct it as far as we can upon the plan of the Hibernian School.

4245. You were to place it under the control of the Governors of the Hibernian School in the event of obtaining a Government grant?—Yes.

4246. But in any case you were to have it conducted on the plan of the Royal Hibernian Military School?—Yes, and that scheme was prepared by Master Murphy, who was at that time Master in Chancery, himself a Catholic gentleman, and an eminent lawyer, and these provisions, both as to religious education, and all the rest, were prepared and settled by him. We have acted upon that scheme as nearly as possible ever since.

4247. But you have not followed the plan of the Hibernian School?—We have, as far as circumstances would permit.

4248. You have not followed the plan in keeping a separate record of the Presbyterian children, or in providing suitable religious instruction for the Presbyterian children?—We could not provide special religious training for Presbyterians, Methodists, and so on, it would run away with our funds altogether. We have the definitions Protestant and Catholic, but if we were to go into all these points, and to provide separate instruction for the Presbyterians, and other Protestant denominations, the expense would be very considerable indeed.

4249. Then you see an objection to any alteration in that respect?—I do.

4250. I see you are not above taking Presbyterian money?—No. Why should we? Presbyterian subscriptions are as good as any other.

4251. You also receive a considerable amount of money from Scotch regiments?—Yes, and they never raised any objection.

4252. You are aware that a very large number of Presbyterian soldiers are to be found in the army?—Might I ask what would you suggest?

4253. I would suggest that you should allow the Chaplain of the Hibernian School to visit your institution?—He is quite at liberty to do so. I will get my Board to give him full permission to see any Presbyterian children provided you do not put us to expense.

4254. Do you make any payment to your Protestant Chaplain?—Yes, £10 a year.

4255. Would you see any objection to putting the Presbyterian Clergyman on the same footing?—Yes. I would like to explain that the Protestant Chaplain gets £10 a year in this way. Dr. McDonagh did not live in the parish. He is a college man, and lives in the college. We were dissatisfied that there was no Protestant Clergyman in the parish to look after the Protestant children, as the Roman Catholic Clergyman was looking after the Roman Catholic children. Dr. McDonagh said it is very expensive for me to go out there, I have to take a cab and keep it waiting, and we said we will pay that, and we pay £10 a year for the cab, and since the townway was started we have not gone into the question of reduction, but when you come to propose that we should give £10 a year to the Presbyterian Clergyman who is in the Hibernian School, we say no.

4256. Would you be willing to add a Presbyterian mistress to the staff, to give instructions to the Presbyterian children?—No, certainly not. I object to the funds being frittered away in that manner.

4257. Then you object to Presbyterians having anything to do with the institution?—No, I value them very highly.

4258. Only as subscribers?—I object to the funds of the institution being scattered about in that way.

4259. But you don't object to Presbyterians contributing to your funds?—To any man who makes it a condition of his subscription that we should have a Presbyterian mistress for the Presbyterian children I will say "no, you must keep your subscription."

4260. Dr. TRAILL.—The number of Presbyterian children would not be sufficient to justify the appointment of a separate mistress of them?—No. I don't know that there is one Presbyterian child in the school. We have tried to keep clear of these religious questions. I don't see that the Presbyterian children are injured by being taught in the Protestant Bible-class.

4261. PROFESSOR DOUGHERTY.—Probably you would object to the Presbyterian children being taught in a Presbyterian Bible-class?—We would meet your objection by having a resolution passed giving full permission to the Presbyterian Chaplain of the Hibernian school to visit the children in the school if he pleases.

4262. It would be highly improbable he would be willing to give his services, unless you place him on an equality with the Episcopalian Clergyman?—If we had to enter into that question of paying £10 a year, it would not be paid.

4263. By Mr. MARSHALL.—The Roman Catholic Chaplain is not paid anything?—*Witness*.—No.

4264. PROFESSOR DOUGHERTY.—But he lives in the town close by?—*Witness*.—He never raised a question of the kind, I am bound to say.

4265. By Mr. MARSHALL.—In the list from which the children are selected is there anything at all of their religion?—I think there is, but we never make any inquiry as to the religion of a child. We never know the religion of a child until the child is elected. We look to the most deserving case. If a poor widow is left with a large number of young children, we look upon that as a most pressing case—in fact the military man look only to that—we keep clear of questions of religion.

4266. Lord Justice FITZGERALD.—Could you suggest any means by which the Committee of seven could get an element of greater permanence than it has at present? What I allude to is this, you are the sole survivor of the civilians and you propose to appoint some gentlemen connected with Dublin not connected with the institution in any way; is there no danger that they will in time drop off?—If they do we will appoint others in their place.

4267. But the only persons left to appoint will be the military persons, who you say do not attend?—Our scheme will provide for that.

4268. How do you select the new civilian governors whose names appear in the draft scheme?—They were nominated by the existing Governors.

4269. Had you any communication with them?—Yes, and they have expressed their willingness to act.

4270. The difficulty is that there is no franchise for the office of governor. You may hold a meeting, but who are the people who are qualified to attend?—When we had a smaller number of civilian governors—five, we never wanted a quorum. We have now seven and we are not likely now to want a quorum.

4271. Lord ORANGE.—Are you in the habit of inspecting the school itself and seeing its work yourself from time to time?—Not very often.

4272. Is it at the school you meet once a month?—No, our office is in Dame-street.

4273. Is there any fixed time for visiting?—No; a governor is summoned according to our plan to visit the school once a fortnight.

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4275. Lord Justice FRIGGESS.—How often on an average is that duty performed?—I think always. They are military men and they are strict in discharging their duty.

4276. Then they attend on that occasion?—They attend and they write a report in a book kept for the purpose.

4277. That scheme provides for a ladies' committee?—Yes.

4278. Do they meet at the school?—Yes.

4279. Have they any fixed time for meeting?—Yes, the last Wednesday in the month, at the school.

4280. Rev. Dr. MOLLAY.—In naming these new lay governors did you take into account that a large proportion of the pupils are Roman Catholics, and that it would be desirable to have a representative of the Catholic body on the board?—No, the money was originally left by a Protestant to Protestant trustees, and we see no reason for changing the mode of administration which has obtained from the very first.

4281. Would it not seem reasonable that the interests and wants of the Catholic pupils should be represented by a member of the Catholic body, who would be in a position to understand what those interests and wants are?—That is not by the Roman Catholic clergyman, and the Roman Catholic mistress, and the Roman Catholic governors we have had from time to time. For instance, you have heard that General Herbert was our chairman for five years, and besides, there were some Roman Catholic ladies on the ladies' committee. There is no reason as it appears to me why we should change the system. The testator himself left this money to Protestant trustees to carry out his wishes, and I don't see any reason which would induce them to introduce into an arrangement which has worked harmoniously an element of discord. I don't say there are not thousands of Roman Catholic gentlemen I could work harmoniously with, but there would be the risk of discord.

4282. And do you think that the introduction of one Roman Catholic gentleman would involve a risk of discord?—Yes, there is the apprehension of such a result. We worked most harmoniously with General Herbert, but when I come to name others to sit with me, I prefer to carry out the original intention and have the money to be dispensed by Protestants.

4283. Did the testator express any desire that the trustees should be Protestants?—Those he named were Protestants.

4284. Dr. TRAILL.—You think that when a man is named in the application of his money to all denominations it does not necessarily follow that it would require the administration to be by a mixed board?—That is my opinion. If a Roman Catholic gentleman leaves his money to charity, and generously and liberally says, I will leave it to so and so, co-religionists of mine, but I wish to make no distinction of religion in administering it, I think it is the duty of those he names to continue that system of administration, and by a body similar to that to which the money was at first entrusted.

4285. Rev. Dr. MOLLAY.—I find you receive subscriptions from various regiments; among these surely there are a large number of subscriptions from Catholic soldiers and officers?—It may be so. I do not know it is so. I would suppose that the subscriptions came mostly from officers and not from the men.

4286. By Lord Justice FRIGGESS.—Nearly all the current funds subscribe to the school?—Yes.

4287. Rev. Dr. MOLLAY.—Does not that seem to go rid of your argument, for although the fund was originally left to Protestant trustees a large part of it is now made up of subscriptions from Catholics, and while you bear in mind the wishes of the testator, should you not also take into consideration the reasonable wishes of the subscribers?—I have never gone into that question.

4288. And if you go upon the principle of excluding

Catholic representation don't you think you are departing from the spirit of the trust which made no religious distinction?—But the final wish was the foundation of the whole thing was gathered by a Protestant merchant and left to Protestant gentlemen to administer for him, and I don't think we should take upon ourselves, even if we had the disposition, to change what was his wish.

4289. But when you add to these endowments voluntary subscriptions, and invite Catholic soldiers and officers to subscribe, do you think it reasonable to lay down a hard and fast rule that you will absolutely exclude the Catholic element from representation on the board?—I don't lay down a hard and fast rule.

4290. But you have told me the principle you act upon now is to name only Protestant governors?—Yes, we act upon that principle.

4291. Therefore while you receive subscriptions from Catholics you lay down the principle of excluding them from the Board?—I don't know that we receive subscriptions from Roman Catholics. You are assuming that.

4292. Dr. TRAILL.—You don't ask it from them as Roman Catholics?—We don't dream of such a thing.

4293. Rev. Dr. MOLLAY.—But you exclude them from the Board as Roman Catholics?—Yes, for the reasons I mentioned—that the funds were left exclusively to Protestant trustees.

4294. Mr. MERRILL.—There is no hard and fast rule?—No.

Rev. Dr. MOLLAY.—But Mr. Robinson has announced his intention, as far as he is concerned, to make it a hard and fast rule.

4295. Dr. TRAILL.—I suppose there are a large number of Protestant gentlemen who subscribe largely to Roman Catholic institutions without asking for representation?—Yes, I subscribe myself without ever dreaming of seeking representation.

4296. Rev. Professor DOUGHERTY.—But this institution was not intended to be a denominational institution?—Nor is it.

4297. Lord CHANCELLOR.—Would you object to give subscribers of some substantial amount a vote in the election to vacancies on the board of governors; my subscribers of £5?—We might consider that. I would not commit myself to it one way or other.

4298. Lord Justice FRIGGESS.—Do you not think that the method you propose to adopt for electing civil or non-official governors will in a short time result in your having a purely military Board?—I do not think so.

4299. Would it not be a protection to you that the subscribers to your institution to whom you owe half your income should be represented?—It has worked very well as it is.

4300. Has not this system worked badly to this extent that you are the sole survivor upon whom the old machinery is resting?—It could not have worked better than it did up to the present. The only difficulty was that the Master did not make provision for the perpetual election to vacancies—that was the weak point in the scheme, and we are now obliged to get a new provision which should have been in the original scheme.

4301. Again I call your attention to this that the machinery you are now proposing will necessarily work against the civilians?—I don't anticipate that.

4302. Then you don't wish to have subscribers represented on the board?—No; we can elect from them if we choose.

4303. Dr. TRAILL.—You consider that the officers represent those subscribers?—Yes, they represent all the military subscribers; the head of every regiment is on the board.

4304. How many ex-officio governors would there be on the list?—On the average, between 45 and 50.

4305. So that there are between 45 and 50 ex-officio governors who can attend if they wish?—Yes, fully that.

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—
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4304. Professor DOUGHERTY.—How many of these ex-officio governors take an interest in the working of the institution?—Those on the committee take a very warm interest, I am happy to say.

4305. How many are on the Committee?—I think six at present. The very best working men I ever met I found in the ranks of the military governors.

4306. These ex-officio governors are liable to be

removed from Dublin from time to time?—Yes, they are on the staff, some of them remain for five years, and some a much shorter time.

4307. Dr. TRAILL.—Have you any idea of the number of officers not under the rank of Lieutenant Colonel doing duty in Dublin?—It depends on the number of regiments in the garrison—I think about forty-five.

Mr. Walter
Kilke.

Mr. Walter Kils sworn and examined.

4308. Lord CHANCELLOR.—What office do you hold in connexion with the Drummond Institution?—I am secretary.

4309. You collect the subscriptions for the institution each year?—Yes.

4310. How do you distinguish between annual subscriptions and donations?—The annual subscription is given every year, and can be depended upon as a permanent gift, but the donation is given this year, and might not be given next year; for instance, if a regiment gives us £10 one year, it is very probable they will not give us anything next year. That is from the Canteen fund.

4311. Lord Justice FRYGROVE.—How is the canteen fund made up?—By the profits arising from the selling of groceries, beer, and that kind of thing to the regiment.

4312. It is profit realized on the sale of beer?—Yes, and suitable goods.

4313. Is it not a fund made up by payments by the privates as well as the officers?—No, simply the profit made by buying wholesale and selling retail.

4314. And the contribution is derived from the money of the privates' canteen fund?—Yes, that is so.

4315. Is any large proportion of these regiments you have got money from quartered in Ireland?—Yes, I think about twenty.

4316. Do you apply to all regiments in the Army list?—Yes, to every one.

4317. By letter?—Yes, to China, Singapore, or any part of the world where a regiment is stationed.

4318. And I suppose occasionally you refer to the fact that there is a child of the regiment in the school?—Yes; sometimes.

4319. Do you think it would facilitate the giving of subscriptions if there was a representation of the subscribers on the Board of Governors?—No, I think not.

4320. How do you collect your subscriptions in Dublin?—There are very few given in Dublin.

4321. I see you have got subscriptions from a good many mercantile firms?—Yes, but there are so many objects of charity that they don't like to increase their subscriptions, and they say this school is endowed.

4322. But no subscription they could give would give them any voice in the management of the school?—No.

4323. Have you any experience of other institutions where there is some recognition of the subscribers such as having some voice in the management, or getting the benefit of the institution?—I believe there are lots of charities conducted on that principle.

4324. Do you know how the governors of the Hibernian Military School are appointed?—No.

Mr. BULL (secretary Educational Endowments Commission).—Six are appointed by the Lord Lieutenant, and six by the General Commanding.

4325. Dr. TRAILL.—And this institution is supposed to be managed on the same principle?—Yes.

4326. It has been suggested that this canteen money, being subscribed by the privates is thereby subscribed by persons of all denominations, do you consider that canteen money as profit made on a mercantile transaction differs from money made in any other mercantile affairs?—I don't think they differ.

4327. Lord Justice FRYGROVE.—Do you know the rules as to profits, and the regulations in the canteen?—I suppose they get the things much cheaper than in a shop.

4328. And it is a shop established for their benefit?—Yes.

4329. And whatever is made there as profit is made at their expense?—Yes.

4330. Professor DOUGHERTY.—You receive contributions from the officers, non-commissioned officers, and men in addition to those contributions from the canteen?—Very rarely.

4331. I see you received £43 in one year from the officers, non-commissioned officers, and men of the Royal Artillery in Ireland?—That is their own fund.

4332. That is made up of individual subscriptions?—Yes.

4333. And those officers, non-commissioned officers, and men belong to different denominations?—I think so.

4334. Dr. TRAILL.—Do you think that £43 includes canteen money?—Some of it is canteen money. The colonel has power to give money from the canteen fund, and he only has that power.

4335. And that is a sum made up including canteen money?—Yes.

4336. Professor DOUGHERTY.—But you see it is from the officers, non-commissioned officers, and men?

—Well, he may not have stated the particulars, he may just have stated that that sum was sent from the Royal Artillery.

4337. Lord Justice FRYGROVE.—What do you say to this, proceeds of concert got up by sergeants and non-commissioned officers, 1st Royal Irish Drilling Posters £10, and then the officers of the 2nd Middlesex Regiment sent you £17?—Yes, at that time repairs were going on, and I wrote to them, and they wrote back saying what they would give.

4338. Dr. TRAILL.—And they never sought to put any restrictions on you whatever?—None whatever.

The Commission then adjourned.

WEDNESDAY, MARCH 24TH, 1886.

At the Office, 24, Nassau-street, Dublin.

March 24, 1886

Present:—The Right Hon. Lord Justice FRYGIERSON, Judicial Commissioner; and Rev. GERALD MOLLOY, B.D., D.D., F.R.U.L., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

MORGAN'S SCHOOL.

Morgan's School.

Mr. JELLET, q.c., with whom was Mr. Hamilton (instructed by Messrs. *Meenady and Sons*) appeared for the Trustees, and made a statement on their behalf.

Edward Hamilton, Esq., sworn and examined.

Edward Hamilton, 494

4350. Lord Justice FRYGIERSON.—You, I believe, are the agent of the trustees?—Yes.

4340. How long have you been agent?—Six years. Before my father's death I acted with him for four years.

4341. Can you give the details of the rental and the situation of the different estates belonging to them. First, now, take the Limerick estate?—Yes; the Limerick estate is £638 13s. 9d.

4342. And the county Dublin estate?—The county Dublin estate is £1,127 7s. 6d., and the city of Dublin £60.

4343. Mr. JELLET, q.c.—Has there been any diminution?—Yes, a house in Kildare-street has been taken by the Government.

4344. What sum was given for compensation?—£650, I think.

4345. Lord Justice FRYGIERSON.—For £60?—No, that is only the head rent; the income was only about £97.

4346. Mr. JELLET, q.c.—Now, give us the Leitrim estate?—The Leitrim estate is £31 4s. 3d.

4347. And the Drogheda estate?—The Drogheda estate is £29 10s.

4348. Have any of these tenants had a judicial rent fixed?—In the county Limerick there was a large holding by Mr. Ferguson, and he applied to have a reduction of rent in 1881, and on that being refused by the trustees he gave up the holding.

4349. He was a middleman?—There were some undertenants. The greater portion he held himself, but there were some undertenants who held under him, but at the outskirts of the big holding which he held from the trustees. On his giving up that I went down and divided their holdings between his undertenants, getting them to consent to judicial leases.

4350. Lord Justice FRYGIERSON.—What rent did Mr. Ferguson pay you?—£100 the half year; the rent was £200 per annum.

4351. What did you let under the judicial leases for?—£95 10s.

4352. Then the reduction was four and a half per cent?—Yes; but the rents have been regularly paid ever since. It is at Bathrobe, and the tenants have never raised any question about paying the rents.

4353. Mr. JELLET, q.c.—Has any change taken place with reference to the rental of the county Dublin estate?—Since 1878 there have been considerable reductions. Some of the rents were very much raised in 1878, and they were afterwards more or less reduced by the Commissioners in 1881, 1882, 1883, but they are not down to the original rent.

4354. Does that represent the present rental?—Yes.

4355. The school, I believe, is situate some five miles from Dublin?—Yes.

4356. What does it consist of?—There are two of them there, I believe?—Yes; one of them, the house occupied by Mercer's school, was erected by the trustees of Morgan's school, which is situate in close proximity. These latter trustees finding their funds insufficient to maintain both buildings granted the building in which the Mercer's school is held to Mercer's trustees, on the terms that they should keep it in order, and that the

girls in Mercer's schools should make shirts for the boys in Morgan's school.

4357. Rev. Dr. MOLLOY.—At what date was that?—At the time of the founding of the school. The endowment was reduced to more than a half.

4358. Mr. JELLET, q.c.—Are the two schools beside each other?—They are adjoining wings—they are separate wings, but there is a high wall between them.

4359. Lord Justice FRYGIERSON.—Do you attend on the local committee or take any part in management of the schools?—No. I think my father and myself always understood that we were merely secretaries to the Board of Governors. If any question arose which I thought would affect the interests of the governors, I should attend at the meeting of the local committee, but I take no part in the working of the school.

4360. Have you got the last rental and accounts?—Yes (hands in documents). That is sent round to the trustees about a fortnight before the meeting of the Board.

4361. At what date do you furnish your account?—A fortnight before the usual meeting of the Governors in November.

4362. You account for the rent due to the 1st November, 1884, and lodge your account in October, 1885?—Yes.

4363. What arrear of rent do you return as due on the 1st day of November, 1884, in your last account?—£27 7s., that was the whole arrear due then.

4364. Then there is really, although the account is a year behind, practically one month's gain. Are they September or November rents?—May and November rents.

4365. I see you also receive the dividends on the stock?—Yes; under power of attorney.

4366. What is the stock?—New three per cents.

4367. What is the origin of that?—A fund that was in hand—a balance one year.

4368. It is an investment of savings?—Yes.

4369. Have you got the money from the Kildare-street property?—No, the deed was signed at the last meeting.

4370. I suppose that will be invested when you get it?—Yes, probably.

4371. Mr. JELLET, q.c.—Who are the members of the local committee?—John Fox Goodson, Inn Trust Hamilton, Major Martley, Charles Thompson and J. M. Brooke.

4372. Who are they appointed by?—By the trustees. The committee from time to time suggest the names of gentlemen in the neighbourhood whom they think are likely to attend.

4373. Are the monthly accounts then audited by them?—Yes.

4374. How many boys are there in the school at present?—There are twenty-three.

4375. How many are three free and how many pay?—There are twenty free and three pay.

4376. What is the amount of the payment by boys?—£15 a year is the amount.

4377. That is an increase from what it was formerly?—Yes, it was £12.

March 29, 1846.

Edward
Hamlin, esq.

4378. Why was the change in the amount made from £13 to £18?—It was found insufficient in the present state of affairs to support the boys.

4379. How is a boy admitted to the school?—On the nomination of the governing body.

4380. Is that nomination in rotation?—Yes; it is by each governor in rotation.

4381. Have you any record in which these nominations are entered. They do not appear on the minutes?—As soon as I receive an intimation from the head master that a vacancy amongst the pupils occurs—the free pupils—I send a nomination paper to the Governor next in rotation.

4382. Is there any form of declaration or evidence that the boy is a proper person to participate in the charity required?—Yes.

4383. Mr. Jellett, Q.C.—This is the form of certificate that must be filled?—Yes.

4384. "I do hereby certify that—when I seek to have admitted into Morgan's Male School is the son of Protestant parents, and between the age of eight and eleven years." Then there is the certificate of the medical practitioner which is as follows:—"I do hereby certify that I have examined the boy mentioned in the above certificate, and that I believe him to be free from infectious disease." Do you require any evidence of the boy being of poor or reduced parents?—The form of regulation is sent to every governor.

4385. Lord Justice Fitzgerald.—There is no inquiry as to whether the boy does or does not correspond with the objects of the charity?—Except by the governor himself who appoints him.

4386. Are rule have these governors—the Primate, the Lord Chancellor, and the rest of them nominated in turn down to the present time?—Yes.

4387. Mr. Jellett, Q.C.—There is one estate that will fall out of your possession?—Yes, Ballybogan.

4388. What term have you of it now to run. It was sold, was it not?—Yes, our interest in it will cease on the expiration of the lease in 1851.

4389. It was held under the Church Temporalities Act?—Yes.

4390. Did the Governors make a proposal to purchase it?—The Commissioners, in compliance with the Church Act, offered a pre-emption to the trustees, but would not give the land, except at a higher figure

than they would pay. The sum asked was considered excessive by the trustees, and the lands were afterwards sold to strangers.

4391. The sum they asked was £2,800, I believe?—Yes.

4392. And it was afterwards sold for less?—Yes. My father attended the auction and it was sold for £1,500 to private individuals.

4393. What interest had you then in these lands?—It terminates in the year 1851.

4394. By how much will the rental be reduced by that?—By £108.

4395. Lord Justice Fitzgerald.—Will you give me the outgoings—you have already given me the gross rental?—£330 is the head rent.

4396. Then there are payments on rent-charges?—The return in this does not give an exact statement of what the payments are for the year. The yearly headrent is £410 3s. 7½d. What I showed you was the absolute payment during the period.

4397. Mr. Jellett, Q.C.—Do you say that is the amount of head rents payable?—Yes.

4398. Lord Justice Fitzgerald.—In what year do you say that the redemption of rent from Ballybogan occurs?—It is now terminable in five years, I think—it is in 1851.

4399. There is, £46 14s. 2d. terminable. It will be thirty-eight years more. When was it first purchased? That has thirty-eight years to run, which from the present time will be in the year 1924?

Mr. Jellett, Q.C.—Yes.

4400. Lord Justice Fitzgerald.—In 1924 you will get £46 14s. 2d. ½p.?

4401. Then there is this sum of £63 10s. payable for Mill Hill—when does it run out?—In 1851.

4402. Well, we may take it that the income will then be about the same as now?—Yes.

4403. Do you make direct payments to the local committee for the school?—No, the committee pass the accounts, and they are sent to me for payment.

4404. You still act as banker and cashier for the governors?—Exactly.

4405. And they have no account of their own?—No.

4406. And you account against the rents due for the expenditure against the school?—Yes.

Mr. Arthur
Murphy.

Mr. Arthur Murphy sworn and examined.

4407. Mr. Hamilton, A.C.—I believe you are the head master of Morgan's Schools?—Yes.

4408. How long have you been in that position?—Twenty-two years.

4409. I believe you gave evidence on a previous occasion before the Commission on Endowed Schools?—Yes.

4410. Have you anything to add to that evidence with regard to any alteration in the internal management of the school?—No, I have not.

4411. Are the number of boys at the school the same as they were then?—The number of free pupils are the same, but the others vary.

4412. But your own and all these other matters are the same as before?—Yes.

4413. Has any alteration been made with regard to the system of managing the boys—anything with reference to the proximity of Mercer's School?—I mean have you the same trouble to contend with now that you had formerly?—No.

4414. Do the boys behave themselves?—Yes.

4415. Professor DOUGHERTY.—Is there any discontent in the school?—Well, two or three boys ran away from school, but they were afterwards brought up before the local committee, and they could really give no reason whatever for having done so.

4416. Lord Justice Fitzgerald.—During the past two years how many cases have there been of boys

running away from the school?—There have been none I think during the past two years, but you will find recorded in the book anything that there is with reference to it.

4417. In the minute book which I have here I see that the attendances are put down sometimes, and that sometimes they are not. In the cases where there are no attendances put down on you tell us how many attended?—Where there is no attendance marked, I write to the committee saying that there was no attendance, and one or other of them will then come and settle things.

4418. When there is no attendance marked on the book, do I understand you to say that no one came, and that you had to write to someone to come and transact the necessary business?—Yes.

4419. Was there any day during the past year upon which there was a meeting of the board?—The committee are summoned regularly every month.

4420. Yes, but did they come?—Not generally on the day mentioned.

4421. Not on the day they were summoned for?—No.

4422. Was there any local committee that attended in obedience to summons during the year 1851?—I believe not according to that—but they came afterwards.

4423. How did you get those minutes signed?—

The second Monday in the month, if they did not come, I gave them notice to that effect, and they came then.

4424. I think you must be making a mistake. Do you see that minute signed by Mr. Hartley on the 14th February?—Yes.

4425. Is that a case in which no one attended?—Yes, they were summoned.

4426. And they did not come?—Yes.

4427. But he came afterwards on the 14th?—Yes.

4428. On the 3rd March it is signed by three gentlemen?—Yes.

4429. Were they there?—Yes, on the day they are summoned for.

4430. Have you any record of the "attendance of the members of the local committee?—None, except what is signed.

4431. Does every one who attends sign the book?—Not at that time.

4432. Well, then you have no record of the attendance—this is a minute book?—Yes. Mr. Ion Trust Hamilton desired that I should put down the meetings in a regular form.

4433. Professor DOUGHERTY.—This book seems to contain a report of the state of the school to be submitted every month to your committee?—Yes.

4434. Lord Justice FRYGEMAN.—14th January, 1884, there is a minute signed by Mr. Hartley. I presume he was present on that day?—Yes, he was.

4435. It appears that the minutes of the 11th February were signed on the 14th. Does that mean that there was no one present on the 11th?—Yes, it does.

4436. And that Mr. Hartley signed them on the 14th?—Yes.

4437. April 21, members present has a blank left, and the minutes are signed on the 21st?—Yes.

4438. There was no attendance on the 21st?—There was not.

4439. 15th May, monthly meeting. I see Messrs. Hartley and Thompson were present. June 9th, there is a blank left for the members present, "no number of the local committee being at home," and it is signed by Mr. Goodman on the 18th?—Yes.

4440. On the 11th August, member present Mr. Goodman alone. 8th September, members present, Mr. Hamilton and Mr. Goodman. 15th October, present, no one, and it is signed by Mr. Hamilton on the 15th. November 10, no one present, and Mr. Goodman signed it afterwards "Nerv." without date. Then there is a long report sent in and dated 24th November by Mr. Hamilton and Mr. Thompson. 8th December is not signed till 9th December. Special meeting Saturday 15th, Mr. Goodman and Mr. Hartley present. Then in 1885. One present, 12th January; 9th February, large meeting; 10th March, one present; 13th April, one present; 11th May, no attendance. June 24, one present; July 13th one present; August 11th, no attendance; September 14th, no attendance; October 12th, no attendance; November 9th, one present; December 14th, no attendance. Those are the attendances which I find?—Yes.

4441. Do any of the local committee visit the school except on the occasions upon which they are summoned or upon the occasions when you write for them?—No, my lord.

4442. And who are the schools visited by in the way of teachers?—By the Rev. Mr. Jellett, who is the minister.

4443. What is Mr. Jellett's day for attending at the schools?—Once a week.

4444. Have you any visiting teachers at the school?—No.

4445. Then who constitute the teaching staff of the school?—Myself and an assistant.

4446. Mr. Hamilton.—I believe you were educated in this school yourself?—Yes.

4447. Did you teach in any other school except these?—Yes, I did.

4448. What schools were they?—The first school

was Clongill, county Meath; the next school was Enniskerry, county Wicklow; and then there was the Protestant Orphan House in the city of Dublin.

4449. You were I believe appointed here in the year 1864?—Yes.

4450. Your whole life has been spent in teaching?—Yes.

4451. I believe your son, John Murphy, assists in teaching?—Yes.

4452. What does he receive in the year for that?—£20 a year, and board and lodging.

4453. Lord Justice FRYGEMAN.—How long has your son been acting in that capacity?—Between two and three years, my lord.

4454. Does he live in the house?—He does.

4455. How many servants are there in the house?—There are two.

4456. What wages do they receive?—£14 a year each, with allowances.

4457. Mr. Hamilton.—That means, of course, board and lodging?—Yes.

4458. And clothes?—No clothes.

4459. Is there any one employed in the grounds?—Yes, a gardener and his wife.

4460. Lord Justice FRYGEMAN.—I find that in October, 1881, there was a boy run away?—Yes.

4461. And in 1882 there were two?—Yes.

4462. In March, 1883, three; September, 1883, a boy reported; November, 1883, some difficulty in getting the attendance of the committee. 10th November, 1884, three boys; a parent is given notice that his son will not return. Mr. Murphy is desired to communicate with the parents of the other two boys, and to inform them that they will be re-admitted?—Yes.

4463. Were they re-admitted?—Yes.

4464. Why did they run away?—One of them could give us no reason whatsoever when he was questioned, but he told us as plainly as possible that he would not stay in the school.

4465. And what about the case of the boy Black?—Black was obliged to be dismissed.

4466. 9th February, 1883.—"The case of the boy Stuart having been considered, it was decided that he should be re-admitted with a caution." And he was punished—what was he punished for?—For leaving the school without permission. I did not think it was so recently.

4467. Rev. Dr. MOLLAT.—Can you say how it is that there is so great a tendency on the part of the boys to run away from the school?—No, sir, I cannot. I cannot give any reason. Nor could the boys themselves give any reason to the members of the local committee, when they were examined by them.

4468. It seems to have been a kind of epidemic?—I cannot say how it is—they look upon it, I believe, in the way of having a holiday.

4469. Dr. TRAILL.—Are you in the habit of administering any kind of corporal punishment to the boys in the school?—Yes.

4470. Rev. Dr. MOLLAT.—Have you experience of any other place like this?—Yes, the Protestant Orphan School.

4471. Was there any running away there?—No. You see in the other cases they had parents. But we found at that school many of them running away from the country.

4472. How do you mean?—Why, if they get disinclined to stop with the nuns they run up home.

4473. Where is that school?—In Farcy-place.

4474. Dr. TRAILL.—You said just now that you use corporal punishment in the school?—Yes.

4475. Is it with a birch?—With a cane.

4476. Outside the clothes?—On the hands; but I would rather give them punishment in the shape of exercises.

4477. Lord Justice FRYGEMAN.—Is there any way in which they can make complaints if they have anything of which they would complain in the school?—Yes, they can write home.

March 24, 1885.
Mr. Arthur
Murphy.

March 24, 1866.
Mr. Arthur
Murphy.

4473. I believe you make these entries?—Yes.

4474. When you say that the boys come forward and could not give any explanation of the reason for their wish to run away from the school, were you present?—Yes, but the committee examined them separately, and at one part I was asked to leave the room while it was going on.

4480. Professor DOUGHERTY.—I see that the parents of some of those boys refused to send them back to the school again. Did they give any reason for taking that course?—No, never.

Mr. Edward Hamilton.—I may say that we went into the matter of the boys running away very fully and completely, we made all inquiries, but we failed entirely to get any evidence against either the master or the management of the school, we inquired from the parents whether the boys had told them.

4481. Professor DOUGHERTY.—And did you succeed in eliciting the grounds of the complaint?—I believe we did every thing that was possible to find out both from the boys themselves and from their parents as well, whether there were any grounds of complaint whatsoever, but no grounds could be ascertained. The committee went most carefully into the matter.—Mr. Ion Trust Hamilton and Mr. John Fox Goodman, but could not find out why it was.

4482. Lord Justice Fitzgerald.—Have you a fixed dietary?

Witness.—Yes. On Sunday, Wednesday, and Friday they get beef, potatoes, and vegetables, for dinner; on Monday, Thursday, and Saturday, bread and soup, and on Tuesday, meat dumplings; breakfast on alternate mornings is, bread and milk, and stimulants and milk; bread and milk on Sunday morning, bread and milk each evening for supper, except on Saturday when they get bread and butter, and eggs.

4483. Have you got a time table of the school?—Yes.

4484. Have you got a copy of it here?—I have not a copy of the time table with me.

4485. Who looks after the cooking of the food?—My wife does.

4486. Dr. TRAILL.—How many boys are there in the school?—There are twenty-three.

4487. Lord Justice FITZGERALD.—Who does the housekeeping?—Mrs. Murphy does.

4488. Then in point of fact you have the management of the school. Your wife has the management of the household, and your son is the assistant teacher?—Yes.

Mr. Edward Hamilton.—If you look to the minutes you will find that the local committee were to make enquiries with reference to this matter of the boys and then report. At a special meeting of the trustees a deputation of the committee called upon us at the time and a resolution was passed asking them to inquire into the full circumstances of the case, and give us any suggestion they could with regard to the school. We have not received that report yet. As you notice, it was referred to the next meeting, and the special meeting has not yet been held.

4489. What is the date of that?—7th April, 1855.

4490. You could not tell us whether there was any investigation to ascertain why the decrease in the number of pay pupils was?—Mr. John Fox Goodman, one of the members of the local committee, is here, and perhaps he could tell you better than I could.

4491. Dr. TRAILL.—What clothes do the boys get each year?—One suit in each year. Formerly they got a coat of blue cloth and a pair of cord trousers.

4492. Yes, on a former occasion you said that used to be the case but that it was not so now, that what they got was one suit of tweed in the year?—Yes, that was what I said.

4493. And you also said that the old clothes—the old suit—were not in a condition to be worn by the boys at the time when the new ones came?—Yes, but the clothes are much better now than they were then.

4494. And have the boys now got a change of

clothes?—Yes, they have. They get one suit of clothes in the year, and the Sunday suit in this year does as the school suit in the next.

4495. And are you able to carry on from year to year with that plan, because you know that on the former occasion you were not able to do it?—Oh, yes, there is very great care exercised in the selection of the tweed for the boys' clothes.

4496. Professor DOUGHERTY.—How are the pupils for the boys' clothes done?—A tailor is paid £12 a year.

4497. I see in the report of 1850, that there were at that time complaints about the condition of the boys' boots, and that it was even stated that some of them were unable to go to church on that account. Have you had any complaints of that kind lately?—No; none whatever.

4498. Lord Justice FITZGERALD.—Have you got a list of the names of the pupils?—We have of course.

4499. You have not got it here?—No.

4500. Do you know what are the circumstances of the boys—who their fathers and mothers are, and what they are, you need not mention names?—I take the boys into the school as the governors send them to me; I have not to inquire what their circumstances are.

4501. But do you know what they are?—They are generally traders and servants' children, commercial clerks, and others.

4502. Have you got in the school any boys who are the sons of domestic servants?—Yes.

4503. And whose fathers are living?—Yes.

4504. And have you also got the sons of commercial men?—Yes.

4505. Whose fathers are living?—Yes.

4506. Have you any boys whose fathers are dead?—Yes.

4507. Have you found, as a fact, that the boys in the school are from different classes of society?—Yes.

4508. Is that advantageous or disadvantageous to the interests of the children, do you think?—I could not say, my lord.

4509. But you know that the will originally provided that the children should be the children of poor or reduced Protestant parents?—Yes.

4510. Can you tell us whether in any large proportion the boys are the children of persons who have been in a better rank of life, and who have become reduced?—Decidedly.

4511. About what proportion of them would be of that class?—Fully three-fourths of them.

4512. And the remaining one-fourth would, I suppose, be the children of servants?—Yes; and commercial clerks are not always able to pay, and when the paper is filled up as you saw it when you had it before you, and when the governor sends the admission, I have no authority to refuse to receive the boys who are sent.

4513. What kind of domestic servants are their fathers—are they coachmen, for instance?—One is a coachman. Another was a butler.

4514. Any other?—I cannot recollect. I cannot bring to my mind at the present time.

4515. Are the fathers of all the boys that you are speaking of living, and in situations?—Two of those that I have mentioned are living, but one of them is not in a situation, and the other is.

4516. Do you find it desirable that the sons of men who are in an inferior position of life, and who are not therefore reduced—do you think it desirable that these boys should be mixed up with the boys who are the sons of reduced parents—of people who have been in better circumstances of life?—Well, I do not see any objection to it. They get the same food and the same treatment in every respect.

In any scheme, Mr. Jelliffe, that would be brought in we would ask that that should not be the case—and that the governors should see what the parents of the children were—that they should see that they were the proper class of children to be admitted.

4517. Rev. Dr. MASTER.—(To Witness).—You

said just now that the boys who run away go to their parents generally?—Yes.

4518. Does it appear to you that the parents in any way sanction or encourage this habit of running away from the school?—If they didn't wish it—If they showed their disapproval, and exercised their control over the boys, I suppose they would not go. When I was a boy I knew that if I had run away from the school, I would have come back again with a sore back.

4519. Do you think that the parents of the boys appreciate the advantages which the school affords?—They do, decidedly. I have got from time to time very nice letters to that effect from the parents of the boys.

4520. Then if a rule was made that when a boy ran away he would not be received back again into the school—do you think that the parents would take care that the boys did not run away?—I dare say they would.

4521. Lord Justice FITZGERALD.—Up to what age do the boys remain in the school?—Till about fifteen years of age, as a rule.

4522. Is there any fixed time for their leaving the school?—No. Between eight years of age and eleven is the time for coming, but there is no fixed time for leaving.

4523. Dr. TRAILL.—There surely must be some limit?—Not that I know of.

4524. How are the boys provided for?—Their parents provide for them.

4525. Lord Justice FITZGERALD.—Is there any age at which the boys must of necessity leave?—None that I know of.

4526. Dr. TRAILL.—As a matter of fact, at what age do the boys leave the school?—About fifteen. Boys you know, when I was a boy, used to stay longer at school; but now they must go to business early, and, of course, they leave school sooner.

4527. Lord Justice FITZGERALD.—Do your boys as a rule go to business, or do they go to other schools?—They go to business, as a rule.

4528. I see that the tutor meant they should be apprenticed. Can you mention what was the business that any of the boys, or any number of the boys went to?—Some of them in the Clearing House, some of them in Pan's, of George's-street, and others to trades.

4529. Do you give any assistance in the way of fees in going to any of these places?—It is to Mr. Hamilton they should apply for that.

4530. Do you keep any register of the boys after they have left you—any record of what becomes of them after they have left the school?—No, they just go home to their parents.

4531. But in the case of orphans, who have no parents, what becomes of them?—Their relations take them, and apprentice them. The last the school apprenticed was about fifteen years ago. He was apprenticed to a grocery and general shop in Ennisberry.

4532. Professor DOUGHERTY.—What school-books do you use?—They are chiefly the National school-books.

4533. Mr. Hamilton, &c.—Will you just mention to us what the subjects are which you teach, and what are the books you use. Reading, writing, arithmetic, history.—Yes.

4534. What history do you use?—Collier's.

4535. Roman or Greek history?—Yes—Smith's.

4536. What geography do you use?—Sullivan's.

4537. Do you teach mapping?—Yes.

4538. What are your school hours?—We begin at ten o'clock in the morning, and go on till one o'clock.

4539. Without any interval?—Yes. Then again, from halfpast three to six o'clock. And in the evening from seven to eight.

4540. Dr. TRAILL.—What time is there allowed for play?—From dinner time, one o'clock to halfpast three.

4541. About one hour in the day?—It is more than that.

4542. Lord Justice FITZGERALD.—Is there any educational test for the boys, when they are being admitted to the school?—No, my lord.

4543. Do you not find them in very different states of progress at the time they come to you?—Very often I do find it so.

4544. And does that give you any difficulty in the management of the school?—Yes.

4545. Do you think a boarding school would be more useful if the boys were compelled to pass some kind of qualifying examination before they are admitted?—I think so.

4546. Do you think that these ought to be selected who had a good foundation before they came?—Yes, I consider that would be of great advantage.

4547. Do you know the system of the Emancipator's Board, to satisfy themselves as regards the boys' needs?—I am not aware.

4548. Do you think some system of that kind would be an improvement upon the manner in which you take things for granted here?—Very possibly it might.

4549. Rev. Dr. MOLLOY.—There is no means of selecting the pupils to be admitted, except this one of nomination by the governors—a power which comes round to each of the governors in rotation?—Yes, just so.

4550. Lord Justice FITZGERALD.—And it appears that of the governors, four out of the seven of them, never took any part whatever in the management of the school, with the sole exception of exercising the power of nomination. Has it happened as a matter of fact in your recollection that any of the boys are brothers of girls in Mercer's school adjoining?—Yes, it does, frequently.

4551. Then I presume the class is the same from which the pupils in both of the schools come?—As a general rule, I think they are, but I cannot answer that. Except in the case of those boys who have sisters in Mercer's school, I do not know. I know nothing about the parentage of the other girls in the school.

4552. Do the pupils from the two schools ever meet?—No, they do not. Never, now.

4553. Do they go to the same church on Sunday?—Yes, they go to the same church, but otherwise they do not meet.

4554. Professor DOUGHERTY.—How far do you carry the education of your pupils. As high as the sixth standard of the National Board?—I do not teach under the National Board.

4555. What is the highest book you use?—The fifth book.

4556. Mr. Hamilton, &c.—You take Euclid for instance. You teach them the whole of that?—Yes.

4557. Dr. TRAILL.—What inspector of the school is there?—The Rev. Mr. Tristram examines every half year.

4558. Do you mean in all these subjects which you have mentioned?—Yes.

4559. Professor DOUGHERTY.—Have your boys competed with the boys of other schools?—No. They have not competed in secular subjects.

4560. Lord Justice FITZGERALD.—You sent no boys up for the Intermediate, I suppose?—I did—the first year, but not afterwards.

4561. Why was that?—Because they are too young to compete.

4562. I believe, however, that the girls from Mercer's not only compete but get prizes?—That may be.

March 24, 1885.
Mr. Arthur Murphy.

March 21, 1882.

John Fox
Goodman, Esq.,

John Fox Goodman, Esq., B.L., sworn and examined.

4563. Lord Justice Fitzgerald.—How long have you been upon the local committee?—About three years.

4564. How far do you live, yourself, from the school?—About a mile. A short way across the country.

4565. About how often do you visit the school?—I visited it once or twice, besides the meetings.

4566. Do you see the boys on Sundays for example?—I see them on Sundays in church occasionally.

4567. The attendance of the members of the local committee appears to have been, particularly last year, very small?—Yes, but the committee, as I understand it, is merely to look over the accounts, see that we get meet at as cheap a rate as possible, see that the expenditure is right, and look after the accounts that are to be paid, and vouch their payments. I do not see that we are asked to do very much more than that, except on some special occasions, which do not come about very often.

4568. Did the case of the boys running away from the school ever come before you?—They did, but, as I understand, our powers were merely to advise. What were we to do?

4569. But as a matter of fact did you investigate any of these cases?—Yes, we have investigated the fact of some boys running away from the school once or twice.

4570. Have you come to any conclusion in your own mind as to how these occurrences have taken place in this school more than in others?—I think I was only at one of these investigations. However, on that occasion we investigated the cases very carefully, and I could not arrive at any conclusion. The boys won't tell you why they did it. It struck me that there was one boy of rather bad character at the time, and that it was his influence over the other two that had induced them to follow his example. He had run away before, and I thought he had influenced other boys to go away also.

4571. When you visited the place for the examination of accounts, and so on, did you go through the establishment?—I do not think we did very often. I have been through it once or twice.

4572. Then the local committee do not examine the food, or the bedding, or the clothes?—I have examined the food myself once or twice, but merely for the purpose of seeing that the meat was good.

4573. Has the local committee ever attended there at the dinner hour?—No.

4574. Nor seen how it is served?—No. I think it was with the object of getting ourselves clothed with some more powers for those purposes that we sought the interview, which we did in the course of last year, with the Governor. The necessity of that was, I think, seen when the boys ran away, and we saw Mr. Hamilton, the agent, and I suggested that we should look over the minutes and see exactly what our powers were, and I think that what we did find was that we had absolutely no powers at all, and I suggested we ought to go and see the Governor, and something or other ought to be done, for as no one has any right of superintendence, an arrangement ought to be made in that respect. We had an interview with the Chief Justice, and the Archbishop of Dublin, and the matter was very carefully gone into, and they suggested that we should make a report, more with reference to the paying pupils—how it was that the number of paying pupils diminished—than anything else, and that they would probably give us some assistance, and arrange some other matters. We have not met since to consider that.

4575. That was, I believe, in April last?—Yes. I confess I was quite taken by surprise by what I heard just now from the master. I had not the slightest notion that anything of the sort prevailed. I understand now that there are some boys, the sons of menial servants, in the school, but the only thing of

that kind, with reference to that, that comes before us is the certificate, which we look over of course, and see that the form is correct. In one case we found on comparing it, that a certificate was clearly a mistake.

4576. That was something about a date?—Yes, it did not correspond with the certificate of baptism.

4577. Mr. Hamilton, B.L.—And the boy was withdrawn?—Yes.

4578. Lord Justice Fitzgerald.—From your knowledge of the locality and of the boys, have you any suggestion to offer as to what would improve the school and increase its efficiency, to fulfil the purpose for what it was originally intended, namely, to relieve the children of poor reduced Protestant parents?—I think that an examination of the circumstances of the child when it was proposed to admit ought to be made.

4579. Dr. TRAILL.—That is, that it ought not to be left to the nomination of individuals—the admission of the boys?—Well, I think, it could be left to the nomination of individuals, but, I think, these individuals ought to make a careful inquiry into the circumstances of the boy.

4580. I mean that instead of a system of absolute rotation that the whole number should investigate the circumstances in each case?

Mr. Edward Hamilton.—Unless there were more meetings of the Board that would be impossible, because vacancies in the school occur so often.

4581. Dr. TRAILL.—How often do they meet?

Mr. Edward Hamilton.—In one month there might be four vacancies.

4582. Lord Justice Fitzgerald.—Could you tell us, Mr. Hamilton, what Mr. Murphy has left is uncertainty. When or how do the boys come to be paid?—There never was any regulation laid down on this subject.

4583. What is it that makes a vacancy?

Mr. Hamilton.—The boys go, I suppose, when they come to seem of an age when they could go to work. The teaching is of an elementary character, and the class of boys who are in the school would naturally leave school when they are about fifteen or sixteen years of age. They are boys who are going like trades, and they are not very likely to remain longer than that.

4584. You have never had occasion to call upon the parent to take away his son?

Mr. Hamilton.—Never.

4585. Rev. Dr. MOLLAY (to witness).—Do you think that if the local committee were invested with real power that the attendance at the meetings would be better?—I should myself attend very much more regularly, but, at present, the only inducement to go is that you are to add the accounts and see that the most is good. Accordingly, I think, one committee man would do that. I feel that very much.

4586. Lord Justice Fitzgerald.—When was the local committee first established?

Mr. Edward Hamilton.—In 1831, on the 31st July. You will see it on the minutes.

4587. Dr. TRAILL.—The appointment of it was the free act of the trustees?

Mr. Edward Hamilton.—It was. The minutes bear that out. The trustees finding they could not attend regularly themselves appointed the committee, and have always carried out the suggestions which they made. The object of the committee was to make suggestions.

4588. Rev. Dr. MOLLAY.—Do you know if there is a large number of children looking for the opportunity of being admitted to this school?

Mr. Edward Hamilton.—A very large number. I have had frequently applications to know who was the next trustee that had the power of nomination, with the view of trying to get a nomination.

Witness.—In answer to that question I may say that I have been asked very often to use my influence for the purpose of getting boys nominated.

March 21, 1886.
John Fox
Goodman, &c.

4528. Rev. Dr. MOLLOY.—Do you think if the opportunity of getting into the school was more open that there might be competition, and that you could select children of a more promising class, and who would more highly appreciate the advantages of the school?—I have no reason to doubt it.

4529. And you see no reason why there should not be a rule that these boys who can away should not be received back into the school?

Mr. Edward Hamilton.—That was always the rule on the book, and it was only on the order of the local committee that a boy was received back again.

The Witness.—That is a very fair arrangement. I was not anxious to discover, if I could, the cases of these boys running away, and I could not find it out. The last time we tried to get at it in the absence of the master and the assistant. We tried to induce the boys to tell us in private how it was, but we could not do so. There is another thing which you asked, Lord Justice, as to whether the parents were anxious that the boys should be taken back. Well, in one case there was a man I knew something about, and he entreated me with tears to have one of the boys allowed back. I forgot the name. In another case a man came to me and pressed us very strongly to allow the boy back again, and we asked them to tell us if the boys, when they were at home after running away, made any complaints, and they said that the boys had not made any complaints about it.

4531. Professor DORMAN.—I believe there was one case in which the friends of a boy refused to send him back?—Yes.

Lord Justice FRYGEMAN.—It is perfectly clear in this case, that the school was intended to be a boarding school for the children of poor or reduced Protestant parents, to be trained up in that religion, and to be ultimately put into business under masters, or in the case of girls, to be married to husbands of the same persuasion. It is therefore a private endowment of a denominational character, the administration of which was, I must say, unfortunately placed in the hands of dignitaries of various kinds, who at the time were necessarily of one denomination. Apart from the denominational question, from the provisions of the will this school appears to have been intended for children by no means in the lowest rank. They were to be reduced or poor, and provision should be made that the advantages which the testator intended to offer should be applied, not for the purpose of bringing up the pupils in a humble position, but if possible of keeping them in the position of life from which their parents had been by misfortune reduced. There is no more expensive charity than a boarding school, the expense of educating, clothing, and lodging a child is necessarily very large, and there is a great difference even with the wisest administration between the cost of the boarding school system and the boarding out system, under which children may be kept in their parents' residences, or aided by payments for maintenance, their education being obtained in the elementary schools of the district. In preparing any draft scheme if Morgan's School, as a separate independent boarding school, is to be maintained—it ought to be secured, that the costly advantages should be confined to children of a class for whom the expense will give an adequate return, and not left open to children of a position of life, so humble that they ought to be more cheaply trained in elementary schools of a different class. Next as regards the governing body. The existing governing body has taken no real part in the management of the school. It met but once a year, sometimes not even once a year, and what was called a meeting, consisted frequently of a single individual—very seldom of more than two. That state of affairs was partly from the changes of the law, by which the qualifying offices were opened to all denominations, and partly also from the ex officio governors having their own proper business to attend to. Those whose offices are not of a character to identify them with

the objects of the institution, we are not anxious to retain, where they have not exercised their privileges to the advantage to the institution. Different considerations apply to church dignitaries in the case of a denominational school. We have a great many Protestant clergies to which bishops, and deans, and archdeacons, are most usefully attached, in the case of Roman Catholic charities, the bishops very generally take an ex officio part in the management. Therefore as regards trustees of this kind, the observations that I make as regards the others do not apply, and we shall be glad to receive the suggestions of the trustees, at least of such of them as have taken an interest in this matter, but in the formation of a governing body, we think it would be well to introduce something of a representative element, and also to enlist eligible persons from the neighbourhood. We have nothing to do with the past management, and I make no observations upon the past history of this school, except so far as it gives us guidance for the future. I cannot, however, help repeating what was said in 1880, that the continued recurrence in this institution of the active unwillingness of the boys to receive its advantages, indicates that there must be something not satisfactory in the discipline; we find also that the master's management is substantially without any control. The governors having taken no interest in it, the local committee very naturally did not care to be merely vouching the accounts, and the result has been that the schoolmaster has had the sole management of the education, and his wife of the housekeeping, while their son is the assistant teacher. That is not a state of affairs which can be satisfactory to the boys, or which ought to be satisfactory to the master. There is one other subject upon which we cannot express ourselves definitely now: the history of this institution demonstrates that the testator intended to provide for both boys and girls. Our Act of Parliament compels us as far as can be expeditiously arranged to extend the advantages of education to girls, as well as to boys. In this case this has been practically done by devoting one portion of the building to Mercer's School adjoining. It appears not to have sufficient funds to maintain itself as a separate institution, if obliged to provide a building, and that the objects are identical is proved by the frequency of the instances in which brothers and sisters are found in the two schools. The objections to multiplying governing bodies are very great, and not to be overlooked, and we throw it out for the consideration of both schools that the government might perhaps be placed in the same hands, preserving the identity and distinct features of each, but at the same time not multiplying establishments for the same purposes in the same locality. I believe some of the ex officio are common to both, and therefore we would ask the Governors of Morgan's School, before finally preparing their draft scheme to confer with the Governors of Mercer's School on the subject of amalgamation.

Mr. JELLEN, G.C.—I think you are in favour of having something in the nature of a test examination?

Lord Justice FRYGEMAN.—There is a provision in the statute that the relative claims of those coming within the scope of the endowment should be ascertained by merit. Examination would not be a complete test for such a school as this, for poverty and natural ability should be considered, and no child would be so meritorious as an object of the charity as a clever child who has not had any means of education on account of the poverty of the parents. Such a child would be thrown out by competitive examination. There must be stringent provision that the children to be admitted here shall be of the class that I have indicated. I think I may say further that there is one form of admission which we are not prepared to sanction, and that is the irresponsible nomination of an individual governor, and the nomination of sons of menial servants are unpleasant indications of the mode in which that system has hitherto worked.

March 24, 1888
John Fox
Glasgow, &c.

Rev. Dr. Meador.—In making the selection due attention should be paid to merit.
Dr. Threlk.—I think it should be understood that a competitive examination for children of this age is not desirable.

Lord Justice Fitzgerald.—I would see no objection to a standard of education, because the school must be limited in number, and bringing in children who were utterly neglected or ignorant would not be good for them and would retard the others; but the standard for children of the age for admission should be very

elementary. We would be glad in a case of this kind to raise the standard of education in the school itself, at all events, high enough to secure a technical education in such matters as book-keeping, shorthand writing, mathematics, natural sciences, and such teaching as would be useful to make them self-supporting afterwards.

Mr. McSwigg.—Book-keeping is taught.

Lord Justice Fitzgerald.—Yes, and very well taught apparently.

Mercer's
School,
Castleknock.

MERCER'S SCHOOL, CASTLEKNOCK.

Mr. Twigg, q.c. (instructed by Mr. A. W. Rees) appeared for the Trustees, and made a statement.

Bartholomew W. Rees, Esq., sworn and examined.

Bartholomew
W. Rees,
esq.

4692. Lord Justice Fitzgerald.—I believe you are the solicitor of the Mercer's school trustees?—Yes, and local agent—agent of the estate.

4693. How long have you been acting in that capacity?—Since the year 1868.

4694. Mr. Twigg, q.c.—Can you give us the particulars about the property of the charity? take the Rathcoole property?—The entire rental is £848 18s. 2d.

4695. Where is this property?—In the city of Dublin—Capel-street, Abbey-street, and Mary-street.

4696. Now, take the property in Liverpool?—The property in Liverpool is £134 a year.

4697. Portion of that was purchased by the London and North-Western Railway Company?—Yes, but that is not included in the rental.

4698. The purchase money was paid into the Court of Chancery in England, I believe?—Yes.

4699. That portion which you say is not in the rental?—Yes.

4700. A sum of £2,041?—Yes—£2,041 Government Stock.

4701. Is that the whole of the property in the endowment?—Yes, it is.

4702. Now, as to the outgoings?—Tithe-rentcharge, £13; income tax, £5 3s. 6d.; quit rent, £1 3s. 2d.; tithe-rentcharge, about £10; insurance of the town houses, £5 12s.; £5 12s. 6d.; poor rate allowed tenants, £35 3s. 8d.; water rate, 7s. 8d.; income tax allowed tenant, £13 10s.; agency fees last year, £40 18s.

4703. That is practically the whole of the outgoings?—Yes, as far as the rental is concerned.

4704. Lord Justice Fitzgerald.—Have you got the rental?—Yes.

4705. The largest part of the estate is let to Mr. LaTouche?—Yes, the estate at Rathcoole.

4706. Does he still pay you?—Yes.

4707. And the lease is still in existence?—Yes. There are two leases, one lease is for ever at £45 a year, and in the other his own life is the last life in the lease.

4708. You have not arranged about a permanent letting?—We have not.

4709. On a rental of £868 18s. 2d. you have above the hanging gale £58 18s. of arrears?—We had at that time.

4710. I see you had a re-letting in 1884 at an increased rent of £111?—That is one of the Dublin houses in Byrne's court. It is only a shed—a large store.

4711. Has there been any change in the holdings at Rathcoole?—Since the Commission of 1860 we sent down a valuer to examine the holdings, and he recommended one or two slight alterations in the rental, but said at the same time that he thought there should be no change until Mr. LaTouche's case fell in, because, as he said, there might be some interchanges. The lands there are interchanged into each other.

4712. Dr. Threlk.—What age is Mr. LaTouche?—I suppose he is about 70 years of age.

4713. Lord Justice Fitzgerald.—Are you able to form any opinion, having regard to the interchanging of the lands, whether on the dropping of the lease you will have any increase?—Yes, I should say considerably.

4714. Mr. Twigg, q.c.—Do you collect the rents of the Liverpool property?—Yes.

4715. Is it likely to increase?—It is, in time.

4716. How is it held?—From year to year; we were advised not to make a permanent letting. It is near Bockle.

4717. Professor Donohue.—Is it within the municipal boundary of Liverpool?—No, it is not; there is a part of it at a place about six miles from Liverpool.

4718. Lands are growing in value about Bockle?—Yes, they are.

4719. Dr. Threlk.—Is it built upon?—No, it is not.

4720. Lord Justice Fitzgerald.—Have you done anything in the way of attempting to survey the estate since 1880?—No.

4721. Where is that £2,041, and in whose name does it stand?—It is to the credit of an account entitled "Ex parte the Trustees of the Charitable estate of Mary Mercer, late of the city of Dublin, deceased, and in the matter of the London and North Western Railway (Lines near Liverpool) Act, 1881." That is the title of the matter in Chancery.

4722. Dr. Threlk.—Is there any reason why the money should not be invested in the name of the Trustees?—It is in the name of the Trustees.

4723. It says here in the name of the Paymaster-General of the Supreme Court of Judicature?—Well, that is the way it is put in Chancery.

4724. Mr. Twigg, q.c.—There is no reason why it should stand there?—We consulted counsel about that, but the Court intimated that they would not transfer it.

4725. Would not the Governors get it out at their application?—They would if it was transferred; of course they would.

4726. Lord Justice Fitzgerald.—Do you propose now to transfer it to the Commissioners of Charitable Donations and Bequests in Ireland?—Yes.

4727. That, I think, is all the property you have?—Yes.

4728. Have you the school accounts?—Yes.

4729. Who manages the expenditure of the school?—Dr. Jellott.

4730. What do you do with the money, as agent; how do you part with it?—I lodge it according as it comes in, in the Bank of Ireland, to the credit of the charity, according as the rents are paid.

4731. When you have £100 or so you lodge it?—Yes; we have a bank book, and that is checked and the accounts are audited by Messrs Craig and Gardner every year.

4732. You do not interfere further?—No.

4733. Lord Justice Fitzgerald.—Do you know what the charge for the audit is?—I think it is two guineas.

Rev. Morgan W. Jellett, M.D., sworn and examined.

March 26, 1900

Rev. Morgan W. Jellett, M.D.

4634. Lord Justice FRYGEMAN.—What is your connection with the charity, Dr. Jellett?—I act as Secretary.

4635. And you are also, I believe, one of the Trustees?—Yes, before I became incumbent of St. Peter's, and thereby *ex-officio* a Trustee, I acted as Secretary, and have continued by desire of the Board.

4636. How long have you been acting as Secretary?—Since 1867.

4637. Mr. TWISS, Q.C.—What is the amount of the net income that is applicable to the charity?—There are the "accounts (hands in accounts)." You will find every year all the accounts of the school, the receipts and expenditure, the gross income, &c., they are audited by Craig and Gardiner.

4638. Lord Justice FRYGEMAN.—I see in 1884 £167 was paid by pupils. How many paying pupils had you in that year?—Fourteen, but not each for the whole year.

4639. What is the charge?—It is a fixed sum of £15.

4640. Mr. TWISS, Q.C.—That is supposed just to cover their food, or is it more?—I think it is not.

4641. How many free pupils are there?—Twenty-five.

4642. Lord Justice FRYGEMAN.—How are the free pupils admitted?—On the nomination of the Governors—by rotation.

4643. Does the Archbishop of Dublin nominate both as Bishop of Kildare and as Archbishop of Dublin?—He never claimed that right.

4644. What class of children are admitted into that school?—They are a mixed class but mostly of the class which has been referred to here to-day.

4645. Have you got any form of nomination?—We have. We require the name and age of the candidate, the complaints that she has had, whether vaccinated, home, occupation, and residence of the parents, the certificate of the minister and churchwardens that the child is the daughter of Protestant parents, that she is between the age of eight and eleven, and that she is not subject to any disorder. We require the marriage certificate of the parents, and also the certificate of the child's baptism.

4646. There is no inquiry into the parent?—Not by the Board.

4647. Each governor nominates on his own authority—in rotation?—Yes.

4648. Dr. TRAILL.—That is only a matter of arrangement amongst themselves?—Yes.

4649. Lord Justice FRYGEMAN.—The children are taken into the school between the ages of eight and eleven. When do they leave?—At fifteen years of age they leave except under special circumstances; a child can be kept for another year, if necessary, until she is fitted for teaching, but that is not done unless it is specially recommended by the matron.

4650. What fixed age at fifteen?—It was a regulation made by the trustees.

4651. It is an existing rule?—It is, you will find it there.

4652. What occupation do children go to after they leave the school?—Some of them become governesses.

4653. Is not fifteen a very early age for that?—Yes, but some of them stay with the permission of the governors till they are sixteen, and of course they may get instruction afterwards.

4654. Do you send any girls up to the Intermediate examination?—Yes, we do.

4655. And how have they got on there?—They have got on very well.

4656. How is the housekeeping managed?—The housekeeping is under the control of the matron, and the accounts are furnished—they come in regularly furnished to me—and they are laid before the trustees, who pass them quarterly.

4657. What is your teaching staff?—It consists of Miss Curtis, who is matron and teacher. She is assisted also by the housekeeper, who assists to some

extent in the school, and there are also nondresses.

The teaching staff is not very large.

4658. And, I believe, you are the catechist, for which there is a salary of £40 a year?—Yes, but the £40 includes £30 as secretary. I was asked to undertake this duty partly that the school should be under supervision by one who constantly met the trustees.

4659. What attendance at the school are you obliged to give?—I am not obliged to go every week, but I do go nearly every week.

4660. What part do you take in the religious instruction of the school?—I catechise all the children.

4661. What time in the week do you give?—I am generally there about an hour in the week.

4662. The matron's salary is £30 a year?—Yes, and board and lodging.

4663. And the housekeeper's salary is £40 a year?—Yes. And that includes music. It was first £15, then £20; and then happening to be qualified for teaching music she got £30 for that.

4664. There is an item down here for a drawing master?—There must be some mistake about that.

4665. I see the item only occurs once?—There used to be a drawing master.

4666. Professor DOUGHERTY.—He was paid by results, I suppose?—It happened that the drawing was extremely bad, and it was stopped.

4667. I find £7 for nondresses, are they pupils in the school?—They are.

4668. What payment do they get. How many of them have you at present?—Five.

4669. What staff of servants have you?—There are two servants.

4670. There is a very large sum for medical attendance, £15?—Yes.

4671. That is a fixed charge?—Yes; the present arrangement is that the doctor is responsible for visiting regularly, and in all cases of sickness besides, and he examines each child before she is admitted.

4672. Is he resident in Dublin?—No, not there.

4673. Dr. TRAILL.—Who is he?—Dr. McGuire of Castleknock.

4674. Lord Justice FRYGEMAN.—Does he attend the boys at Morgan's School as well?—I think he does.

4675. There is, I see, £125 12s. for repairs to the school—a very large sum—what was that outlay for?—That was for making improved sanitary arrangements in the school. Some years ago there was a very much larger one. There were drains to be made.

4676. Is the place at present in a good sanitary condition?—I think it is, on the whole.

4677. Professor DOUGHERTY.—Is it an old house?—It is.

4678. Mr. TWISS, Q.C.—Did you find it an expensive place to have the school?—It is. Although we have the house in return for making the shirts for the boys in Morgan's School, it costs a good deal to keep the place up in a good state of repair.

4679. Is it a larger place than you need for the requirements of the school?—The rooms are not larger than we require to have them, but there is of course a great deal of space lost in the house on account of the corridors and passages which are numerous, and also on account of the underground places which are by no means wholesome.

4680. Lord Justice FRYGEMAN.—Do your governors meet at any fixed period?—No, there is no fixed period. There was a rule made about meeting twice in each half year: they met four times last year. Once a quarter is supposed to be the regular time for their meetings. If they have not always kept to it it was because it was not always necessary—it was not always a disadvantage.

4681. Mr. TWISS, Q.C.—Do they always meet at the school?—No, they meet in town.

4682. Practically, the whole business connected with the institution falls upon you?—Yes, practically the carrying out of what is ordered does. The

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Rev. Morgan
W. Jones,
L. D.

governors have sometimes come out to the school, but that was not very often.

4683. Lord Justice FRYGIMON.—There are two parish clergymen in the governing body?—Yes. They are altogether the Archbishop of Dublin, the Dean of St. Patrick's, the Vicar of St. Peter's, and the Incumbent of St. Bride's. There were five original trustees, and we wished to keep, as far as possible, to the wishes of the testatrix, and so her wish to put it under the management of the five clergymen who were left to use their best discretion. We do not propose any change in that respect.

4684. Professor DOUGHERTY.—Do you wish for the infusion of a lay element?—I do not see any advantage in it.

4685. Dr. TRAILL.—The evidence in the case of the boys school showed that the lay members had a very bad attendance?—Of course it all depends upon what we find to be the facts. All I can say is, that for myself, if I found everything going on well and satisfactorily, I would not be able to see any practical advantage in making any change. That, of course, is my way of looking at it.

4686. Lord Justice FRYGIMON.—The parish of St. Peter having been divided, you wish to bring in the Incumbents of the several divisions?—That is not necessary nor customary, I believe.

4687. Have you got any children of domestic servants in the school?—I think there is one.

4688. On whose nomination was that girl admitted?—I think the nomination of the late Archbishop—Archbishop Donagh.

4689. Was she the daughter of a person who became reduced?—I think she was the daughter of a butler of his, who afterwards took care of the Synod Hall, and who died having caught cold there.

4690. Dr. TRAILL.—I suppose in the matter of selection, that an individual governor would set on a greater sense of responsibility than he would if he was only one of a number?—Yes, I think far more so. I have seen the two systems tried. In one case the governor may go and veto for one recommended to him, and that is all. You are, of course, supposed to entertain each particular case upon its own merits, but I doubt, really, if that is done.

4691. Mr. FULGER, Q.C.—There is no advertisement of the vacancies when they occur?—No, there is not.

4692. Lord Justice FRYGIMON.—And no limitation on the absolute power of the governor to nominate whom he likes?—No; but I must say that the matter is fully considered by each governor, and the Board could interfere in case of abuse.

4693. Dr. TRAILL.—Is the nomination given by one governor to be submitted to the whole body of governors afterwards?—This is not the practice. It is understood that each governor acts conscientiously. I know of cases where there is supposed to be an objection, but really each governor nominates in turn.

4694. Lord Justice FRYGIMON.—Do you think that is a good plan?—Not better than Mercer's plan.

4695. Rev. Dr. MURPHY.—In clause 33 of the scheme I find "That the governors shall be at liberty, if any funds shall be available for the purpose, to pay such sums as they shall think proper as apprentice fees or otherwise, for the advancement of pupils when leaving the school, but this power shall not apply to pupils who shall be admitted on payment as heretofore authorized." What is the object of the limitation in that clause of the scheme?—I do not know, but I think it was in order to preserve the advantages of the school for the poor children themselves when the lady intended to receive.

4696. But might it not happen that a pupil admitted in the first instance as a pay pupil, might be afterwards made a free pupil?—That is true. That has often occurred.

4697. And there might be a doubt whether such a pupil would not be deprived of the apprentice fees?—I think not, but as a matter of fact I do not think we ever pay apprentice fees.

4698. Do you ever make any payments to pupils in order to enable them to get further education?—I think we have paid for their fees for Trinity College Examinations for Women, or Kildare-street Training School.

4699. Have you paid for them there, because that is a very practical way of helping them?—We have.

4700. Professor DOUGHERTY.—Have you sent pupils also to the Alexandra College?—We have had pupils who went there, but we have not sent them there.

4701. I thought you assisted in keeping there no pupils, at least?—No, we have not, that I recollect.

4702. Lord Justice FRYGIMON.—Have you ever tried this for example, the giving of £3 or £10 to a girl whose friends may not be able to assist her, to enable her to get a better education after fifteen or sixteen years of age?—I am sure we would, but we have never done it.

4703. You are also the catechist at Morgan's School?—Yes, I did the duty for a former catechist, who had held the post for many years, during his illness of more than a year, gratuitously, and was asked to succeed him.

4704. How often do you go there?—About once a week, but not always.

4705. Is the Archbishop a trustee of both?—Yes.

4706. Are the pupils in both institutions children of the same class?—I really do not know, but I think they are very much the same class.

4707. You heard it mentioned that there were brothers and sisters in the schools?—Yes, that is the case.

4708. Can you give us any idea of the extent to which that is the case?—To a limited extent—only one or two, I think.

4709. But there have been cases of that kind from time to time?—Yes, but not very often.

4710. What is your idea as to having the government of these two institutions in the same hands?—Well of course I cannot help looking at that matter from the Mercer's School point of view.

4711. And it is from that very point of view I wish to hear what you think?—All I can say is, that when I see a place going on very well and satisfactorily, I do not see the necessity for making any alteration.

4712. Assuming Mercer's to be going on well, as you say, and Morgan's, as you would imply, not going on as well, can you see any reason why the management of the two schools should not be entrusted to that of the portion which is doing well?—I do not say anything as to Morgan's, and I should like to keep up Mercer's school in the way that the founders intended. She intended to have the school kept up in a certain way, and I would not like to have anything infused upon the governing body of the other institution. It might be a great advantage to amalgamate with another school, but I do not see it.

4713. Except that Mercer's was to be a girl's school, and Morgan's a boy's school, do you find any difference between what Mr. Morgan intended his pupils to be, and what you contend Miss Mercer wished hers to be. Is it not your contention that Miss Mercer intended this school to be for girls of the same class as the boys that it was intended to benefit by the foundation of Morgan's?—I have not considered it, but I think so.

4714. Do you not think you would find cases in which having to help a girl would be of assistance to you in coming to a conclusion with reference to sending a boy?—I think that if I helped a girl that would be a reason why I should not help a boy of the same family.

4715. But to find, for example, whether helping the boy would be a better means of assisting the family than helping the girl?—I have the opportunity of helping boys; but I do not think it would be well to interfere with the helping of the girls.

4716. What opportunity have you of helping girls?—I have—at the Elbow Coat School, and St. Peter's schools.

4717. Have you had any opportunity in Morgan's?—No.

4718. Have you been able to exercise it through the existing governors there?—I do not know that I ever got a boy in, but I have recommended boys.

4719. Have you any argument to urge against having the management of the two schools vested in the one body?—There is no necessity for having Mercer's school connected with Morgan's at present. The founders never intended anything of that kind. That is proved by the fact that the school was intended to be connected with St. Peter's, and that the locality of the school was removed from one place to another.

4720. The school was where it is now since the year 1820?—Something about that.

4721. And you have been spending money upon the premises very much in a manner as if you intended to stay where you are?—Of course the place must be kept in repair or you cannot live in it. If the stones are coming off the roof you must see after it. The place cannot be allowed to fall into decay. But I am of opinion that if we had the school nearer to Dublin than it is at present we would be able to do more good. That that is the case there cannot be very much doubt. If you want a higher education how are you to provide it? You cannot afford to pay teachers to come from Dublin, so far, to where the school now is. Besides that, I certainly feel that there is a certain amount of inconvenience arising from having a large girls' school and boys' school so close to each other. You are aware that there has been annoyance from time to time, not so much lately, of course, but I would rather, on the whole, have the school out of that. Therefore, so far as amalgamation is concerned, it is not what at first sight I would be inclined to be very anxious about.

4722. Then you do not want to have an amalgamation of such a character that the two schools should be ever united together?—I would not, speaking only for myself.

4723. If they were to be put into different localities, can you say in any reason why, notwithstanding that they were apart, the governing body should not be the same?—I do not see why, when an institution is going on well, any change or alteration should be recommended. I thought the occasions in which this Commission should act were those where things were going on badly, and that the state of affairs ought to be remedied.

4724. Dr. TRAILL.—Would not an amalgamation of the governing bodies work well?—I do not know.

4725. Which do the buildings belong to?—To Morgan's.

4726. Lord Justice FRERES.—But you are to get them so long as the girls make the boys' shirts?—

Yes, unless the trustees of Morgan's put an end to the bargain, which they can do.

4727. Lord Justice FRERES.—Can you give us any reason why it is that we have got in the case of Mercer's School, page after page, year after year, a record of prizes, honours, distinctions, and passes of a considerable number of girls in the Intermediate examinations, whilst, except that they went up one year, and never ventured to go up again, the boys in Morgan's School did nothing?—I cannot say of my own knowledge; it may be partly due to the fact of there being no committee with power to act. I got the boys to go into the Sunday school examination, and I must say that the boys answered exceedingly well, as they always do when I examine them, and their answering at half-yearly examination is also good.

4728. Do you think if there was a practical governing body, that Morgan's School would improve much?—Yes.

4729. Then you must of course be—from the Morgan's School point of view—in favour of having an amalgamation take place?—Yes, if that was given to Mercer's trustees without any change.

4730. You will it amalgamated get all the advantages?—I don't see that amalgamation would bring advantages to Mercer's school necessarily.

4731. Do you consider that the clergyman of the parishes would be proper representative governors for Morgan's School?—I think so, as a general rule.

4732. Rev. Dr. MONRO.—The girls do not show any disposition to run away from the school?—No, they do not; they are very happy in the school.

4733. Have you been able to form any opinion as to the cause of the boys' disposition to run away from Morgan's?—I asked the question of the assistant-master—I asked him how to account for it—and the answer I got from him was that he attributed it to a spirit of romance: that they had read books from which they gathered that it was a romantic thing to run away.

4734. Lord Justice FRERES.—Can you give us any indication of how it happens that that spirit of romance should be confined to that school alone. We have not come across anything of the same spirit anywhere else?—I do not know. I only know that whenever I examine them, the boys answer me very well. I do not know any school better as to religious knowledge.

4735. Professor DOUGHERTY.—I see that the course is to include reading, writing, and "work"—That of course means needlework. The children in Mercer's make their own clothes.

Miss Kate Curtis examined.

Miss Kate Curtis.

4736. Lord Justice FRERES.—Miss Curtis, you have, I believe, been a considerable time connected with Mercer's school?—Yes, for twenty-seven years.

4737. How many girls have you at present in the school?—Thirty-three altogether; Twenty-five free, and eight pay pupils.

4738. Except the large expenditure for repairs last year, has there been anything exceptional in the past three years?—Nothing that I know of. I think the year before we had more pay pupils probably. They were very weak, but I think that mine is about the average.

4739. Have you a fixed dietary?—Yes.

4740. Is it regulated by the governors, or by yourself?—By the governors.

4741. Have you it in writing?—We have it hung up in the dining room.

4742. Do the girls get meat every day?—No, four days in the week.

4743. You have, I believe, been sending in girls to the Intermediate Examinations since 1879?—Yes.

4744. And I find that six girls passed in that year, five passed in 1880, seven in 1881 (one of them got a

prize), seven in 1882, seven in 1883, eight in 1884, and six in 1885?—Yes.

4745. Every girl, except two, that you sent up has passed?—Yes.

4746. What year were the two failures in?—I think it was in 1882. I cannot tell you exactly. There were two failures last year, too; but they were very young.

4747. Professor DOUGHERTY.—At what age do your children leave the school?—If they are going to hospitals, they leave at the age of fifteen.

4748. Dr. TRAILL.—Those persons were in the junior grade?—Twice we sent them in for the middle grade.

4749. Professor DOUGHERTY.—They are below the age, are they not?—Not for the middle grade. If they are going up for teachers they may stop for another year.

4750. Lord Justice FRERES.—I see you manage the whole establishment, except as far as housekeeping is concerned?—Yes.

4751. What arrangements have you for the girls taking exercise?—We have a large playground.

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Miss Kate
Currie.

4751. And do you look after the gardeners?—
Yes.

4752. And get a supply of vegetables?—Yes.

4753. Do you find any trouble from the proximity of the boys in Morgan's?—We used. It was sometimes very troublesome, but it has not been so for the last four or five years.

4754. How do your girls get on in the world after they leave you?—Very well. A great many of them go as governesses. Sometimes they go through the Alexandra College very well. Two of them who obtained exhibitions from the Intermediate Board, went to the Alexandra College.

4755. Lord Justice Fitzgerald.—Did two of them get exhibitions?—Yes.

4756. Dr. TRAILL.—In the Alexandra College?—No.

4757. What year was that in?—1881.

4758. Lord Justice Fitzgerald.—The teaching staff is the same as it was in 1850, only yourself and the housekeeper, who teaches music, and an assistant?—We have not an assistant.

4759. How many girls are there helping you to teach?—Five girls; one is called the nursery mistress, who takes care of the little girls; and another the house mistress, who sees after the clothes, and so on.

4760. How much time do you give these mistresses for their own education?—They fall into the class, and they do not do much needlework.

4761. But their general education is not neglected?—Not at all.

4762. What do you find that the girls turn to in afterlife?—Teachers; we used to send some into the training college in Kildare-street as soon as they had reached the age—they must be eighteen.

4763. Rev. Dr. MOLLOY.—Do you mean as teachers of National schools?—Yes, some of them, and Church Education, and some as governesses in private families.

4764. Lord Justice Fitzgerald.—Do you find that there are some who do not get employment?—Yes; we find that it is sometimes difficult, and if they stay at home they get out of teaching.

4765. Professor DOUGHERTY.—That arises from the limit which the governors of this school have put upon you; you must discharge the children at about fifteen?—Yes.

Rev. Dr. JELLET.—We would keep them on in case the girls wanted to enter a training college.

Lord Justice Fitzgerald.—You would have to keep them up to eighteen.

4766. Dr. TRAILL.—Are they limited to eighteen?—Yes.

4767. Is it by a rule of the trustees or the governors?—A rule of the governors. Mr. Morgan's will was for girls as well as boys. Might you not make Morgan's school a girls' school. It would get rid of the difficulty of boys and girls.

4768. If you were to use it to train these girls to eighteen to make them teachers?—That would be a great advantage.

4769. You would require a larger staff?—Not more than there is at present, in the boys and girls.

4770. I suppose Canon Jellett would not have any objection to that?

Canon Jellett.—No.

4771. Dr. TRAILL.—Morgan's is a foundation for both. Are you in favour of keeping the school out in the country?—I would rather have it near the town.

4772. Is it not, for the purposes of health, better to have it out in the country?—Yes, but the water is not good where we are.

4773. Can you not pump the water there?—Yes, but fancy pumping for so many inmates.

4774. Lord Justice Fitzgerald.—You are very near the canal there?—Yes, but the canal is filthy water.

4775. Dr. TRAILL.—Have you had any infectious disease in the school?—We have had scarlatina in one case.

4776. Have you anything in the nature of an infirmary?—There is only one room in the house for that purpose.

4777. Professor DOUGHERTY.—I think we gathered from Canon Jellett that the house is not in a fit state for a school?—I wish you saw it; it is not in a fit state at all for a school.

4778. Rev. Dr. MOLLOY.—Supposing that the Marine school went from where they are to a ship, would their premises in Marston-street suit you, do you think?

Canon Jellett.—I think they would.

4779. Rev. Dr. MOLLOY.—(to Miss Currie).—Is the number of candidates for admission to your school in excess of the number of vacancies that occur?—They are, greatly.

4780. How many candidates might there be for each vacancy?

Canon Jellett.—Oh, of course there are more than there are vacancies.

4781. Then you could fill the whole building with girls?

Miss Currie.—We could easily fill it, especially with pay pupils; numbers of people would send their girls from the country.

4782. Lord Justice Fitzgerald.—If you had assisted education?—Yes.

4783. Professor DOUGHERTY.—You propose to raise the fee from £15 to £18. If you do so may not the same result follow as in Morgan's school?—I do not think it would, but I do not know; we could give them a better education for that.

4784. Dr. TRAILL.—You could train them up to eighteen for £18, could you?—Yes.

4785. Professor DOUGHERTY.—You do not attempt anything more than English at present?—Yes. Mrs. Somple has a French class, and twenty pupils are taught instrumental music.

4786. Lord Justice Fitzgerald.—There was some teaching the rudiments of Latin, was there not?—Yes; I did so.

4787. Rev. Dr. MOLLOY.—When you spoke about getting Morgan's school for girls, did you contemplate also getting the endowment?—Yes; we do not want the house at all. It is the endowments that we want.

4788. Are the two buildings separate at present?—Yes; they are quite apart; there is a high wall between them.

4789. Were they originally built as one school?—No they were not, as two schools; they were quite distinct.

Lord Justice Fitzgerald.—They are two blocks of houses exactly the same in appearance, with a space between them.

4790. Where were you yourself trained as a teacher?—In Kildare-street.

4791. Professor DOUGHERTY (to Canon Jellett).—You seem to have very limited powers of investment?

Canon Jellett.—Yes.

4792. Do you think it would be well to have them extended?—It might.

The inquiry adjourned.

THURSDAY, MARCH 25TH, 1886.

At the Office, 33, Nassau-street, Dublin.

March 25, 1886.

Present:—Right Hon. Lord Justice FITZGERSON, Judicial Commissioner; Rev. GERALD MOLLOY, B.D., B.Sc., F.R.U.L., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

UNITARIAN SCHOOLS.

Unitarian
Schools.

Mr. Skelton, q.c. (instructed by Messrs. Howe and Falkiner), attended on behalf of the Committee of Management of the Unitarian Schools, and makes a statement.

Lord Justice FITZGERSON.—We will allow the settlement of the present draft scheme to stand over for a reasonable time, in order that the committees having the management of the three schools may have an opportunity of considering the expediency of amalgamating the management, and extending the scheme so as to include all the schools connected with the congregation. It will be understood that we have already decided upon a review of the establishment of the foundation and all the circumstances of the charities, that two of the schools, the Singleton School which is a boarding school, and the old Strand-street School which is a day school, are exclusive endowments, and that they are applicable exclusively for the benefit of the members of the denomination to which the congregation in Stephen's-green belongs. By deciding that, we also decided that in the event of a consent being given by the governing body to come to settle a scheme for these institutions, the scheme must be in accordance with the exclusive character of the endowment. The Act of Parliament requires us to confine the benefits of any endowment with which we deal to persons of any particular class to which it is legally applicable. The doctrine that it is excluded from the statute, on the ground of being the exclusive property of one religious denomination, carries with it the application of the other section by which the scheme when settled by consent must be confined to children of that denomination. Accordingly the governors in considering the question of amalgamating the government of these schools may consider themselves entirely relieved from any apprehension that the settlement of the scheme could open this endowment to any denomination, except that to which it has been hitherto legally applied. The day school which is the subject of the draft scheme lodged, and the apprentice fund, were by the original regulation made open to the children of all denominations; the school expressly and the apprentice fund by having been open for all former pupils of the school—whether it was that there was no application to make it available, or that the trustees had not settled any plan for its management, it does not appear to have been made available, and it has been substantially accumulating.

Mr. Skelton, q.c.—Portion of it is to be applied to such poor boys as belong to the charity school of the congregation.

Lord Justice FITZGERSON.—That would probably mean the exclusive school, and if it did mean the exclusive fund, the apprentice fund would follow the same rule as the two exclusive ones; but as regards the one that is open, the way it comes within the jurisdiction of the Commissioners is that it was, by the rules of the trustees, to be open to children of all denominations. But the trustees were members of the congregation, the benefits they were willing to extend, under a governing body of their own denomination, to children of others. We have had many similar cases and we have no right or desire to prevent congregations or individuals from extending their benevolence to those belonging to other denominations, while preserving the denominational character of the governors. In such cases it appears to us to be our proper course to insist on the introduction of a sufficient conscience clause to pre-

vent the use of the endowment for proselytising purposes, so that it should be open to persons of all religious denominations without seeking to interfere with their religious convictions. Accordingly, as regards that portion of the endowment, it would be only necessary to introduce a conscience clause, it would not be necessary to interfere with the denominational character of the managing body, which might be the same managing body as that of the other schools. It will be understood that if the managing body can be formed of a representative and sufficiently extensive character from the congregation it will be entirely open to those who at present have the special charge of any one of these different institutions to make provision in the scheme for keeping up the independent management through committees or otherwise of the separate institutions, and also to keep up the difference of name and differences of purpose as regards boarding or day schools. Many advantages will suggest themselves in the extending of the apprentice fund to the children from all these schools and in economy of management, and things of that sort. I think therefore that having regard to the fact that the whole of this endowment centres around the congregation, that it includes the day school for boys and the day school for girls and the mixed school for infants; that it includes the boarding school for girls, and lastly the apprentice fund, a very comprehensive and complete scheme might be formed placing it all under one management in the hands of the congregation itself and of such a character as would secure its complete efficiency. We should very much rather exercise the powers we have for the benefit of a comprehensive institution such as that than settle a draft scheme for the Damer endowment alone, leaving it in the same anomalous position as at present, without a school-house and with no legal right to remain where it is except on sufferance. The scheme itself puts it in such a position that it might be at any time required to provide a school for itself.

Mr. Skelton, q.c.—The fact that their joining them all in one scheme would not deprive the schools at all of their character of being denominational schools would have a great effect with the committee.

Mr. Falkiner.—If the governors sent in separate schemes and they were not adopted by the Commission, could they be withdrawn?

Lord Justice FITZGERSON.—The Act says we shall not settle certain schemes unless with the consent of the governing body, it does not contemplate that the consent could be withdrawn when the scheme is settled, but the duty we have to perform would necessarily imply the maintenance of the denominational character where it is established, and I don't contemplate the event of the Commissioners signing a scheme in violation of the terms on which they had obtained the consent of the governing body that the matter should be considered. There is no power to withdraw, and I should advised you if I told you there was.

Rev. Dr. MOLLOY.—But you would have power to appear before the Privy Council and say that the scheme was not satisfactory, and that you were in the first place exempt, and that you only came under the operation of the Commission by your own free action.

Mr. Skelton,
q.c.

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Lord Justice Fitzgerald.—There is more than that; the first difficulty in the way of your getting into any position that would disappoint you is that both the Judicial Commissioners should agree to sign what you afterwards objected to; in the next place the scheme would have no effect until signed by the Lord Lieutenant in Council; until objections to it had been heard by the Judicial Committee of the Privy Council, it would be open to us and to the Privy Council to receive any objections that could be raised to a scheme in Chancery, and lastly if either the House of Lords or the House Commons passed a resolution annulling the scheme passed by the Lord Lieutenant and the Privy Council, it would be set aside. The matter will stand over to enable you to hold a conference of the committees of these various institutions joint or otherwise, to

consider in the first instance the question whether they deem it advisable to apply for the settlement of a joint scheme for the management of all, and if so on what terms. The terms might then be stated, assuming that the denominational character of the two institutions already declared to be exempt must be preserved; whether there shall be one governing body for all or separate committees for each, and how far separate independent action should be preserved to them, and all these matters. You may take it that we will not incorporate more than one governing body for you. We will enable you to vest all the property in the same body on any variety of trusts, but we are not disposed to settle a scheme for the separate management of what is only a small part of your endowment. The Commission then adjourned.

FRIDAY, 26TH MARCH, 1886.

At the Commissioners' Office, 23, Nassau-street, Dublin.

Present:—Right Hon. the LORD CHANCELLOR and the Right Hon. Lord Justice Fitzgerald, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.B., M.B., F.E.G.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD KELLS, Esq., LL.B., was in attendance.

SWORDS BOROUGH SCHOOL (ADJOURNED SITTING).

Mr. Twigg, Q.C., and Mr. George Hart (Instructed by Messrs. Mansell & Son), appeared on behalf of the Governing Body.

Rev. Canon Thomas Twigg recalled.

4793. Lord CHANCELLOR.—I think you told us the boundary of the borough was about two miles from every side of Swords!—I have the exact boundary defined by a document of authority.

4794. And, as a matter of fact, you have children coming to the borough school from outside this boundary!—We have.

4795. Is it your view that the endowment should be extended to children who come to the school from outside the boundary?—If there was a sufficient number of children within the borough we should exclude those outside, but since we have had anything to say to the school the numbers have been so small that we took all children who came. The board did not know until lately the exact limit of the borough, and they regarded it as contentious with the ecclesiastical parish of Swords, and they accepted these boundaries as the borough boundaries.

4796. Is the village of Swords nearly in the centre of the parish?—I think it is.

4797. About what is the radius, taking Swords as the centre?—If I went two miles from Swords, and very often a mile and a half, in one direction I could get out of my parish, and in another direction I should have to go four miles before I got out of it.

4798. Lord Justice Fitzgerald.—Malahide is well outside the two miles limit. Balheary is altogether covered by the two miles limit; but the two miles limit towards Dublin does not take in Claghra!—It is within the two miles limit, but we never considered it within the borough.

4799. The Lord CHANCELLOR.—You are aware that the original constitution was for the maintenance of schools to be established within the borough for the daily education of children, inhabitants of the borough?—Yes, I am aware.

4800. Dr. TRAILL.—I suppose that practically two miles is the boundary for this purpose, as children won't walk more than two miles to school!—Yes, practically. I have a description of the boundary.

4801. Lord Justice Fitzgerald.—Is about two miles from the centre the limit to which the benefits of this endowment should go?

Rev. David P. Mulohy, F.S.—I think so.

4802. Lord Justice Fitzgerald.—You don't think that that is too extensive a limit?—No.

4803. Lord CHANCELLOR.—Assuming that we have that area of two miles so fixed, you would not render it obligatory on the boards of the different schools to exclude children from greater distances!—Witness—No. We have had children from Donabade, and the board received them.

4804. But it would not necessarily follow that the endowment should be for the benefit of those, or that any portion of it should be given in respect of them!—We have frequently in the school children who are not considered eligible for apprentice fees.

4805. From Donabade?—Yes.

4806. Lord Justice Fitzgerald.—As long as the school is connected with the National Board you have no power to refuse a child, no matter where he comes from!—We have no disposition to do so.

4807. You all agree that in any special benefit out of the endowment, such as apprentice fees, the two miles radius would fairly include those who should come within the original endowment, but that the school as a National school should be open to all who come there?—Yes.

4808. There is a curate of the parish of Swords!—Yes.

4809. He would not be a member of your governing body unless he was co-opted!—No, but he has been acting as superintendent.

4810. Why did you fix the number four, in addition to the two ex-officio?—I think the idea of the board was that it was the number of the original board. They tried to make the boards as like each other as possible.

4811. Having regard to the fact that the Archbishop is practically at a distance, about how many do you think would be an advisable committee for the management of such a school?—I think about six or seven.

4812. Then you would rather have more than four!—Yes, I would rather have more than four.

4813. If you had your two clerical members, the Archbishop of Dublin and the Vicar of Swords, and four elected members, would you think it well to give power to co-opt two more?—I see no objection to it.

4814. And these two might be co-opted, one by one clerical, thus giving you room for the sexton?—Yes, I think so.

4815. The Lord CHANCELLOR.—Have you made any inquiry as to what the National Board would do in case the distribution of the endowment is altered, as to whether they would make a new grant to the new schools?—I made no inquiry. We were placed in connection with the National Board on the special ground that we were to receive no emoluments.

4816. And that was based on the ground that you were receiving the endowment?—Yes.

4817. Lord Justice FRYGIMON.—Is there any rule in the National Board rules as to schools receiving partial endowments?—No, I am not aware of it.

4818. You have also laid down that the co-opting qualification shall be residence in the parish of Swords or magistracies of the county of Dublin, might it not be advantageous to say they might be either magistracies or poor law guardians?—Yes.

4819. Dr. TRAILL.—Who is the parish clergyman to whom you refer?—He is not a clergyman with regular clerical duty. He is a gentleman of benevolent views, and he is likely to remain resident near Swords.

4820. Lord Justice FRYGIMON.—Is he a member of the present select vestry?—He is an habitual attendant at the church, but he is not a member of the select vestry, but last vestry it was arranged he should become a member.

4821. The Lord CHANCELLOR.—Assuming that the area was fixed at two miles, how would you define the persons within that area who would be eligible for the benefits of the endowment. I mean would you confine it to inhabitants, and if to inhabitants for what time do you consider that they ought to be inhabitants before being qualified to obtain the benefit of the grant?—If the schools were very largely attended we might find it necessary to restrict it, and there have been resolutions passed when there was a number of children attending the schools, I think suggesting a residence of five years to entitle them to the benefit of the endowment.

4822. I see in the memorial presented in 1850 it was proposed that no person should be entitled unless they had lived within the borough for not less than seven years?—I should not be in favour of such a strict rule.

4823. Lord Justice FRYGIMON.—A man might come into the parish of Swords as a labourer or farmer moving from a parish where he was entitled to send his children to the National Board school, and unless he lived in Swords for seven years he could not share the endowment?—Frequently such cases have occurred.

4824. The Lord CHANCELLOR.—You look upon anyone coming to Swords as being a bona fide inhabitant?—We never refuse anybody.

4825. You propose to retain the present school building?—Yes.

4826. And to hand over £3,000 as an equivalent?—Yes. The select vestry a short time ago decided that in their opinion no settlement of the question would be satisfactory to them in which they did not retain the schools. That they were very anxious to retain the buildings.

4827. Have you thought of the matter that was suggested during Mr. Twigg's statement; that is to say, to reserve a certain number of apprenticeship fees or exhibitions, to be given to the pupils indiscriminately of the two schools according to merit?—I think it would be a very desirable thing to do, but it would require some consideration, and it would require a little arrangement to manage it. We have had for a long time a system of voluntary examinations which have worked very well, and they have had a stimulating effect on both schools, and have produced a feeling of honourable rivalry. There was some difficulty some years together at the borough school; the children were examined and received prizes in money, and on

one occasion every year there were apprentice fees open at a separate examination; the three best boys and three best girls from each school received apprentice fees; they were all examined together. I think it had a stimulating effect on the teachers and on the children. I have the returns of the examinations.

4828. Lord Justice FRYGIMON.—What would you think if there was an examination established, or a competition for these money prizes, I don't call them exhibitions, but little provisions to help the children after they leave you, open for apprenticeship fees, or training college fees, or to enable them to carry on better education; and a provision made that the annual examination for these prizes should be conducted by representatives sent from each of the two schools, and in case of a difference of opinion as to the mode of conducting the examination, that the examiners should be supplied from the Board of National Education, or by the Inspector appointed by the Lord Lieutenant?—I do think it would work. Both schools being in connexion with the National Board would give great facilities. I think the inspector might possibly, without difficulty, arrange about holding an examination of that kind.

4829. Possibly a payment for him could be made?—I would be quite satisfied with an examination under the Board of Education.

4830. Professor DOUGLASS.—Could these prizes be awarded on the ordinary examination conducted by the National Board Inspector?—I think it would be better to have a special examination.

4831. Lord Justice FRYGIMON.—Of all children of all ages it would be only two or three in each year who would compete for these?—We have had six prizes offered to each school for a great number of years, and sometimes we had not the number even from the large school.

4832. Was that because of dissatisfaction with the mode of conducting the examination, or with the amount of the prizes given—in other words, as far as the examination itself was concerned, did that work satisfactorily?—I think it did.

4833. Dr. TRAILL.—Would you expect that the competition should be limited to the ordinary examination by the National Board Inspector, or do you think a higher scale should be adopted?—Our school has been a primary school always, and I think we should do better considering the early age of the children, to have an examination in arithmetic, reading, and writing.

4834. Do you consider also that the children should be restricted as to age?—Yes.

4835. You would not have boys of fourteen or fifteen competing against children of younger years?—No.

4836. Lord Justice FRYGIMON.—Having regard to the fact that the prizes would be in the nature of advancement money, what would be the highest limit of age?—I don't know; I think under seventeen.

4837. Professor DOUGLASS.—You would allow considerable latitude in regard to the application of these exhibitions—would you approve of a clause in the scheme providing that these exhibitions should be applied in payment of apprenticeship fees, or as bursaries tenable at a training college, or at some school or college at which an organized system of higher technical education is carried on?—Yes; a great number of our fees have been given in that way.

4838. Rev. Dr. MACIOT.—Assuming that we take two miles as representing the radius of the borough, you would extend the benefit only to children of the inhabitants within that area?—I think it would be that way—I don't wish to exclude children from the benefit of education, but I should be inclined to restrict anything like apprentice fees to people within that area.

4839. For instance, in the case of children sent down to be nursed and cared by the farmers, they might have the benefit of the education given, but they

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Rev. Canon
Thos. Twigg

March 21, 1895. would not be entitled to the special prize, or the apprentice fee out of the endowment?—I think so.
 4840. It is provided in the original charter that those who are to benefit by the endowment should be children of the inhabitants of the borough?—Yes.
 4841. Lord Justice FRYGROVER.—Do you know, as a matter of fact, whether there are any number of children boarded out now in Swords under the poor law system?—Yes.
 4842. These children by rule, I believe, must attend the nearest school?—Yes.
 4843. In this case, therefore, what I understand you wish to do is, that they should be open to attend school; that they should be taught as ordinary pupils in the school, but have no right to compete for any special prize?—At the same time if they were fit children to receive them it would be hard on them, and I should rather not have a restricting rule of that kind; I think to have a rule of that kind would be injurious to the children of the poor.
 4844. Dr. TRAILL.—How long do the children remain out in that way—suppose they were turned out by the Protestant Orphan Society, or by the Poor Law Board, to what age are they left there?—I know a child that has been seven years there.
 4845. Do the children, as a matter of fact, spend the greater part of their youth there?—Yes.
 4846. And the restriction you would like is, that you would not wish to have persons who might be imported into the parish simply for the purpose of being eligible for these things?—Yes.
 4847. And that if children be reared there, even though they had lost their parents, but had spent a large number of years in the place, you would allow them to compete for these prizes?—Yes.
 4848. But you think it would not be fair to have people imported for the purpose?—No.

4849. The Lord CHANCELLOR.—The reason is that after you had all the children in the parish educated you might have children brought in to swell the number?—Yes.

4850. Professor DOUGHERTY.—You might have a certain attendance at the school as a condition?—Yes.
 4851. Lord Justice FRYGROVER.—What is the present term?—I think three years.

4852. Professor DOUGHERTY.—Wouldn't that meet the difficulty completely?—Yes, I think so.

4853. Rev. Dr. MOLLOY.—Except that the children for whom benefit the endowment is intended, are children of inhabitants of the borough?—Yes; but at the same time I think it might not be good for children of inhabitants to get large prizes merely on account of the accident of their birth; it might be well to have a competition. I should not be in favour of a very strict rule.

4854. Dr. TRAILL.—You think three years attendance at the school would practically make a child an inhabitant?—That has been our rule.

4855. As a matter of fact these apprentice fees were never won by children imported into the parish?—I am not aware that any fee was obtained by any child who was less than three years in attendance at the school.

4856. Lord Justice FRYGROVER.—How many registered voters have you on your parochial registry in Swords?—Fifty-eight.

4857. Do you think it would be more convenient to take your view or that of the lay gentlemen, as to whether the two governors should be elected by the 150, or by the select vestry itself?—I think the select vestry are the representative body of the parish, and they might very well elect, but I see no objection to the other.

Mr. Henry Baker, J.P.

Mr. Henry Baker, J.P., sworn and examined.

4858. Lord Justice FRYGROVER.—Where do you reside?—Close to the town of Swords.

4859. Are you a member of the select vestry of the Church there?—I am.

4860. I believe some resolutions were passed by the vestry recently in reference to this matter?—Yes.

4861. I observe from the minutes that you had a large attendance at the meeting?—Yes, a very large meeting, and a good deal of interest taken in the matter. They had not heard much about it until the vestry meeting was called. [Reads minutes of vestry meeting].

4862. As regards the salaries of £200, was it the opinion of the vestry that if the salaries of £200 were secured that these would be sufficient to maintain an efficient school for the Protestant children?—So I understood at the vestry.

4863. I presume that for the purpose of efficiency it would make no difference whether the funds came out of the endowment alone, or out of the endowment plus subscriptions, or out of endowments plus National Board assistance?—No; if there is a certainty of it.

4864. You think if provision was made for salaries of £200 it would give an efficient teaching staff?—Yes.

4865. That is the minimum?—Yes.

4866. Have you heard the proposal thrown out today, that apprentice fees should not be given to each school, but to the best children out of the two schools?—Yes.

4867. What do you say to that proposal?—I think it would be a desirable one—a spirit of competition would be raised that would be advantageous to both.

4868. You have no objection to take your share of apprentice fees by competition?—Quite the reverse.

4869. There is £50 for caretaker, and maintenance of school buildings?—Yes.

4870. Are not these buildings much larger than are

wanted for the education of the Protestant children?—Oh, they are considerably in excess.

4871. How would you propose, if your plan is carried out of leaving this building to you, to utilize the rest of it?—For a residence for the master and mistress, and the only part that would be in excess would be the school-rooms themselves, and they certainly are large for the purpose, for which for the present they are used, or anything I see in prospect.

4872. Having regard to the fact that they would certainly be large enough to give you a residence for the teachers under the same roof, don't you think that that might be fairly set off against the cost of maintaining them?—Oh, I dare say it might.

4873. You ask that all except the ex-officio members should be appointed by the select vestry?—Yes, the vestry held very strong opinions upon that, that it should be a representative board to a certain extent.

4874. You prefer representation to co-optation?—Yes, we do clearly.

4875. What do you think of the mixture of both—what do you think if the clerical and elected members had power to co-opt some good people who might not have got elected?—No, I think there are sufficient ex-officio representatives on the board in the Archbishop and Vicar, and I propose that the rest be elected.

4876. All of them elected?—Yes.

4877. My proposal was a little different—that after a certain number had been elected, that they and the two ex-officio should have power to co-opt a couple more?—I see no objection to that at all; in working a thing of this kind, judging from my own experience, a large board is, generally speaking, a bad board.

4878. What would you think a right number?—I think the number suggested by Mr. Twigg would be the right number.

4879. But, the one in the scheme would be practi-

ally only five, for one of the members, the Archbishop, would not be often in Swords!—Yes, I think there were six in the scheme.

4880. Do you think the vestry would be satisfied with four along with Canon Twigg, and that these should have power to co-opt two?—I had a suggestion which, I think, was not a bad one, that the Churchwardens generally should be ex officio members of the board, and that, annually, would give a change, the churchwardens being selected by the vestry.

4881. Dr. TRAILL.—But there is only one selected by the vestry?—Yes, and one by Mr. Twigg.

4882. Then one churchwarden would represent the clergyman?—Yes.

4883. Lord Justice FRYGIERSON.—And, if you added the two churchwardens to the vicar, that would be three, and then the two elected would be five, and they should co-opt two more—seven?—Yes.

4884. Dr. TRAILL.—You would like the curate to be brought in either by election or co-optation?—The reason for omitting him was that he was always acting as a paid superintendent over the school.

4885. Lord Justice FRYGIERSON.—But the moment you divide the fund the office of deputy superintendent would cease?—Yes. I have no objection to the curate being co-opted, but I would not suggest that he should be ex officio.

4886. Rev. Dr. MOLLER.—Do you propose to have the elective principle adopted in the original constitution of the board, or only for supplying vacancies when they occur?—I don't see any objection to it from the commencement.

4887. Lord Justice FRYGIERSON.—There is a difficulty in doing that on account of the time of year, but supposing you were to start with named persons, are the names in the draft scheme satisfactory?—I think they are unobjectionable.

4888. And they are gentlemen having an interest in the matter?—Yes, but I wish the Commissioners to consider the point whether there should be more than two meetings in the year. I think a half-yearly meeting is too little. As to the question whether children living outside the borough should be admitted to all the privileges of the fund, I think the fund ought to be confined to the two miles radius. I don't know what may happen hereafter, but there is a great desire to bring in children from the outside who are not entitled to the fund at all, people who can afford to keep a donkey and car to send their children to school. That is not confining it to the original intention.

4889. You don't agree with some people that there is so much money in Swords it ought to be brought into Dublin for technical education?—No.

4890. Dr. TRAILL.—Do you think there should be a limit put on the children named out before they are brought in to the benefit of the fund?—There are only two or three of them, and they are not worth talking of.

4891. Do you consider "inhabitants of the borough" includes a child whose parents were not inhabitants if the child had lived there a number of years?—Yes, I would be anxious that the child of any servant who came into the employment of any gentleman in the district should be instantly admitted.

4892. Or the child of a policeman or coastguard?—Yes.

4893. Lord Justice FRYGIERSON.—Do you see any reason why a man should be obliged to live seven years in the borough before his children can share in the endowment?—No.

4894. Dr. TRAILL.—Would you limit the age for the bursaries?—I would adhere to the practice in the school, namely, fourteen to seventeen years.

4895. Rev. Dr. MOLLER.—There is a resolution here which states that the vestry having gone carefully through the school accounts, is of opinion that the

minimum sum required for efficient management is £390, of which £100 is set down for apprentice fees?—I think that is very questionable. I would not like to see £100 allocated for that special purpose.

4896. I find in 1876, the school only got £70; in 1877, £78; in 1878, £66; in 1880, £86, surely it was conducted efficiently during those years?—I presume it was; still they did not give anything approaching £100. I understand that the apprentice fees were not very successful, generally speaking, and I would not limit the expenses of education to give apprenticeship fees.

4897. If £100 is necessary for apprenticeship fees in a school of fifty children, you would require £600 where there are 300 children?—I am not prepared to go that far.

4898. Professor DOUGHERTY.—Do you agree in giving a considerable latitude in regard to these exhibitions; that is to say, would you allow them to be paid at the option of the holder as apprentice fees or for higher education?—As long as I considered the education was satisfactory and efficient, I would leave it discretionary, but I would make it a sine qua non that education should go before apprentice fees.

4899. What I mean is this, suppose a boy won an exhibition, would you allow him to carry that exhibition to a school of higher or of technical education instead of applying it as an apprentice fee?—Yes for his own advancement if necessary.

4900. Dr. TRAILL.—You would substitute "advancement in life" if necessary for exhibition fee?—Yes.

4901. Lord CHANCELLOR.—It appears that, in some cases, the money obtained in that way was made use of for the purpose of emigrating the recipients?—I believe it was one of the great drawbacks to the management of the Swords school, that the gentlemen in the parish had no voice in it, and very few of the governors ever attended.

4902. Lord Justice FRYGIERSON.—From the Protestant side of the question, now we have the proposal that the local gentlemen shall take part in the management of the school—do you think there would be any difficulty in obtaining from them assistance to the funds if required?—I am quite sure of this, that there ought not, and I don't think there would to a certain extent.

4903. Therefore if you have a substantial share of the endowment on just principles, we might anticipate that it would be supplemented by the local gentry, would you suggest that it should be supplemented for the special purpose of giving these special bursaries?—I have not considered that sufficiently.

4904. In any scheme that we may frame for the management of the endowment portion, might we justly anticipate that there would be a supplement from voluntary exertions?—I think not; the habits of the people have been quite the reverse; they consider from old associations that they ought to get such a portion as would enable them to carry on the school respectably.

4905. Without any help from themselves?—Yes, without any help from the parish.

4906. Dr. TRAILL.—A good deal of that would depend on the future of the people who are asked to subscribe?—We have the principal part of the manors in our neighbourhood going derelict.

4907. Professor DOUGHERTY.—You have no school fees in the old borough school?—No.

4908. What is the effect on the people of the parish?—It had the effect of bringing numbers of strangers into the parish to take advantage of the schools.

4909. What effect has it on the inhabitants of the parish themselves?—I would not say it is a disadvantage to them.

March 25, 1888

Mr. Henry Baker, J.R.

March 26, 1912.

Rev. D. P.
Maloney, &c.

Rev. D. P. Maloney, &c., recalled.

4910. Lord CHANCELLOR.—Do you consider that an area of two miles from Swords all round, would be a proper area to be benefited by this endowment?—I do.

4911. Lord Justice FRERGINSON.—Are the miles to be English?—No; Irish.

4912. Lord CHANCELLOR.—At the time that limit was fixed they were Irish miles?—Yes.

4913. You said there was something you wished us to decide for you?—Yes, as to the school at Claghra.

4914. If it is two Irish miles the radius would include Malahide?—Scarcely. I suppose all the children attending at the Claghra school would be entitled to compete for the prizes.

4915. Lord Justice FRERGINSON.—I have not had the idea in my mind to have any competition for prizes except among the pupils of these two schools. I would not allow children to get education elsewhere—the prizes to be distributed at the examinations I have been speaking of, would be prizes for children attending your schools for a considerable period, and these schools would be the two borough schools only?—That is all right.

4916. Lord CHANCELLOR.—Are there children attending Claghra school who live outside the two-mile radius?—Yes.

4917. And there are also children attending the school at Claghra who live within the two-mile radius?—Yes.

4918. In the situation of Claghra outside or inside that borough?—It is a parish in itself.

4919. Is it two miles from Swords?—About two miles.

4920. Lord Justice FRERGINSON.—One result would be that the children living between these two places would make up their minds if the education was better at Swords?—That is what I asked whether they would be entitled to do that.

4921. Dr. TRAILL.—But Claghra would be within the two miles radius?—Yes.

4922. Lord CHANCELLOR.—What is your own view about Claghra children attending?—Being within my parish boundary I would be anxious to give them every fair play.

4923. But there is a great difference whether they live within the two miles radius or outside it?—I would not ask them to be allowed to attend if they lived over two miles away.

4924. Lord Justice FRERGINSON.—Could you suggest any way by which you could have a selection of children from any other schools coming in to compete where you had these two schools under the National Board?—I am anxious to get an opinion about it.

4925. Is it your opinion that the benefit should be confined to the two schools in Swords?—That would be carrying out the original intention and I go in for that.

4926. Rev. Dr. MORLEY.—A great number of the children attending the school at Claghra, come from within the two miles radius?—The greater number.

4927. And you wish that all children attending from the two miles radius should have the benefit of this endowment?—The Lord Justice puts the matter very strongly. These two schools are to be established in Swords, and it was the original intention to have the benefit given to Swords. Therefore, I go in for Swords.

4928. That means the two miles radius?—Yes.

4929. Lord Justice FRERGINSON.—The children attending Claghra who are within the two miles radius could come in if they liked, but if they choose to turn their backs on the Swords school they may do so?—Yes.

4930. Lord CHANCELLOR.—Suppose the area of two miles is introduced would you introduce any limitation as to the class of persons entitled to the endowment?

—I believe it is principally for the poor of Swords it was intended.

4931. Supposing a person owns *bona fide* to live in Swords; and set up in business there, but was only there six months, would you see any objection to his having the benefit of the endowment, on the same terms as any other children?—If he came with the intention of remaining in Swords.

4932. You would not consider that any limitation of five years residence would be desirable?—No.

4933. Dr. TRAILL.—How would you know his intentions as to remaining in Swords?—That is difficult of course.

4934. Lord Justice FRERGINSON.—You would not suffer much if he intended to go away by allowing his children into the school for a short time?—No.

4935. Rev. Dr. MORLEY.—Your view is that the fact of his coming there and sending his children into the school affords a presumption that he intends to live there?—Yes.

4936. Lord CHANCELLOR.—What about boarding children in the parish?—We have children from the Poor Law Board, and I think it would be unfair to deprive them of any of the advantages of the school, it would be invidious.

4937. Lord Justice FRERGINSON.—What length of attendance at the school would you think it fair to impose as a condition; because I would throw out to you that you ought not to allow an excessively clever boy at the age of fifteen to be brought into the parish, and if he happened to be the son of a *bona fide* resident though only three or four months going to the school, allow him to compete with children for competing prizes. How long would you consider that a pupil should be at the school?—I believe of the Poor Law Board children are sent out at the age of five or six, sometimes younger, if they continue on for five or six years, they would be entitled to the benefit of the endowment.

4938. Five or six years is a long time?—They do not get the prizes unless they remain that time.

4939. Would you consider three years a fair limit, or would it be too short?—It all depends on the time the child comes to the parish.

4940. What limit would be the proper maximum of age?—I would not allow a child to compete for the higher prizes beyond the age of fifteen.

4941. Is not that very low for a girl?—If the girl wishes to get a higher education, if she competes at the age of fifteen, then by all means give her a chance of a prize, and let her go to a higher school afterwards.

4942. But you might throw out children if you put the age as low as fifteen?—I would limit it to fifteen.

4943. Rev. Dr. MORLEY.—Has it not been one of the drawbacks that the children leave school too early?—Yes.

4944. Would it not help to keep them longer if they could compete for these prizes?—Yes, if the prizes are so good and so high, I dare say the children would be kept on to the age of seventeen, but in consequence of the number of poor people we have in Swords, there is great difficulty in keeping them at school after a certain age—out of 132 of the labouring class children, I suppose there was not one got a prize—they were not allowed to remain in the school to compete for the prize.

4945. Lord Justice FRERGINSON.—There is another difficulty in putting it too low, there are such villages as teacher and officers in the Post Office, where they won't be taken in until they reach seventeen or eighteen years, if you compel them to leave school at fifteen, you leave a gap of two or three years, whereas, if you keep them on to the age of sixteen years, £10 or £15 might bridge over the gap?—I would be very glad if you could arrange prizes which would keep the children until sixteen or seventeen years of age.

4946. Suppose you start with sixteen as the maximum age at which they could compete, how long do you consider a child ought to be in the school before being allowed to compete—three, four, or five years?—I think four years.

4947. You would limit it to children who were from twelve to sixteen years of age and who were educated in the school?—Yes.

4948. Dr. TRAILL.—If a child came in at the age of fourteen, would you exclude it?—I think it would not be fair to give that child a chance.

4949. Rev. Dr. MILLER.—Are your children generally in a condition to stay so long at school as up to sixteen?—Unless there is some inducement, no.

4950. If there was such an inducement as this competition, would they stay in considerable numbers?—Yes, I think they would. As a rule they only remain to the age of eleven or twelve, unless children of the farming class which is a great injustice.

4951. Lord Justice FITZGERALD.—But these children who are taken away at these ages are the children of labourers who are going to follow their father's calling, but in the case of a clever child do you think the hope of getting a prize that would get him on in the world would be sufficient to encourage the child to be left to the age of sixteen?—Yes, but at the same time it would be well to have prizes given at the ages of twelve and fourteen every year.

4952. That is school prizes?—Yes, otherwise you will not keep up the number.

4953. Rev. Dr. MILLER.—You consider it desirable to give good prizes to children at twelve and fourteen, to induce them to remain on?—Yes.

4954. In addition to the apprentice prizes at the age of sixteen?—Yes.

4955. The Lord CHANCELLOR.—As regards the present school buildings: in the first communication you made, you proposed that the schools should be handed over for the benefit of the Catholic children or £5,000, do you adhere to that?—In reference to the schools, it appears that the old borough school carried out the intention of having two schools. The present school was built for nearly 400 children; after some years, whether it was the superintendent of the day I don't know, but he went and built infants' schools at the end of the garden, that would be able to give accommodation to sixty children. At present there are about sixty children attending the borough school; if you give us the borough school we can use it; we have nearly 400 children attending our two schools, and if the prizes are properly distributed in the future our attendance will be a great deal more than 400.

4956. What do you propose then to do with your present buildings?—I would turn them into a technical school.

4957. If you do not get the school buildings, what would you consider a fair sum to get for them—do you think £5,000 would be sufficient?—I think it would be unfair to the people of Swords to lessen this endowment, especially where there is no necessity of these larger schools for the Protestant people. If you take away this £5,000 it is lessening the endowment, and it would be wrong to all the children. You saw yourself, on the day you were there, the number of children at the borough school—nearly every child had a desk to himself, and our schools are overcrowded.

4958. Lord Justice FITZGERALD.—What is the tenure of your present premises?—We never paid rent.

4959. You got the land free at the beginning, and you now have a title?—Yes.

4960. Would you propose to vest the premises that you now have in your own governing body, in other words, to give you a title that you could always prove?—Yes.

4961. What quantity of land have you?—We have not much.

4962. You would want to get power to purchase

lands for teachers' residences?—Why not give us the borough schools.

4963. One difficulty is that the infant school is not large enough?—Quite large enough. You will find before long there will not be thirty children attending that school.

4964. Dr. TRAILL.—How many school-rooms do you require?—I require a large school for male and female.

4965. You have two at present, and you require four?—Yes.

4966. And how many class-rooms?—Two.

4967. How many would they hold?—I would be able to have over seventy attending each of the schools.

4968. Into the class-rooms you intend to take the higher boys?—Yes.

4969. How many would there be in a class of that sort?—There might be twenty or twenty-five.

4970. Or twelve?—And sometimes twelve.

4971. Would they be mixed boys and girls, or separate?—Separate.

4972. Then in your opinion, it requires to have separate rooms for boys and girls, and separate class-rooms?—Yes.

4973. Do you consider that the infant school at present would be sufficient to give that accommodation to boys and girls and infants for the Protestant school?—Quite so.

4974. But according to your own showing, you require class-rooms?—In Cloughan, we have over eighty children attending.

4975. I understand you to say that for the convenient working of your own school, you require not only four schools but two class-rooms, would it not be a reasonable thing to say that the Protestants in the management of their schools should also have separate rooms for the boys and girls?—It is quite large enough if it is divided. There is a gallery there capable of holding sixty infants.

4976. You could not have sixty infants there with the other school?—There are not two children there, and it would be no harm to divide the school and make two of it.

4977. Lord Justice FITZGERALD.—You said that in case you went to the borough school, you would use your own school as a technical school?—Yes.

4978. How do you propose to support it?—We would get some Parliamentary aid.

4979. Then, I understand your proposal to be that if the borough school is given to you, you should give up all your interest in the existing schools for the purpose of establishing a technical school under some other government?—That was the programme we adopted in order to get a grant from the Government for technical schools.

4980. But we have no power to give a grant like that?—We were in hopes we might get it.

4981. Dr. TRAILL.—Have you any objection to exchange schools?—If I got the borough school I would give up my own schools.

4982. Would you give them to the Protestants?—Yes.

4983. Is it a suitable place as regards your chapel?—It is about the same distance.

4984. And your own residence is close to your own schools?—Yes.

4985. Have you ground there for building a residence?—The accommodation is very small. I got some land very lately on which I intended to build a residence for my cousin.

4986. And I suppose, where you propose to build the infant school is separate?—Yes.

4987. Would you be able to get room to build a comfortable teacher's residence?—Our accommodation is quite deficient, and we have not enough ground there.

4988. Lord Justice FITZGERALD.—Isn't there an Act of Parliament under which you could get land for a teacher's residence?—We would have to pay very high for it.

March 24, 1881.

Rev. D. F. Maloney, &c.

March 28, 1886

Rev. D. F.
McCarthy, Esq.

4982. You have been exerting yourself to get money to build an infant school?—Yes.

4990. Where did you intend to build the infant school?—About the middle of the street of Swords.

4991. Quite separate from the other?—Yes.

4992. Dr. TRAILL.—Will you be able to get a separate National teacher for that infant school?—Certainly.

4993. Have you one now?—You saw the schools the day you visited them. In order to get results I drew across a curtain, and even that would not guarantee me a salary for my teacher.

4994. Would the same result not arise if all the Protestant children were in one building?—Yes; provided they had not a sufficient number attending.

4995. Supposing they had not a sufficient number without mixing them together?—Then they would not be entitled to it.

4996. But under the original grant to the borough, are they not entitled as inhabitants to have their children educated?—Yes.

4997. And if they are unable to get the National Board grant are they not still entitled to get the education?—They can get a stipendium.

4998. But do you not know it would not be sufficient?—The borough school of Swords is not the only endowment the Protestants of Swords have.

4999. What is the other?—It got into Chancery and was lost—they had two endowments.

5000. Lord Justice Fitzgerald.—But I believe they are both lost?—I would like some of the tenants on that estate to be examined and see whether some of the money is not being paid.

5001. This is your letter of the 30th November, (letter read). Are you still of that opinion that £2,000 should be given?—I prefer getting the borough schools and giving the £2,000 for the benefit of both sides.

5002. And you would rather have the borough schools than the £2,000?—Yes.

5003. You also say in your letter "also I submit that the Catholics are entitled to five-sixths of the original endowment." If you take five-sixths of the endowment and the borough schools that would practically be leaving to the Protestants about £150?—I think that is a very fair sum; if you calculate the number of children attending the school, it is a very large sum.

5004. In your letter you say they are entitled to have the present schools or £2,000, but what you say now is that you prefer to have the borough schools and your proportion of the £2,000, and your proportion of the £2,000 is five-sixths?—My proportion is five-sixths of the £20,000.

5005. Dr. TRAILL.—When you established your school in 1863, the average attendance of the boys' school was ninety-one, where it is 149 now, and the girls' school has increased in the same way?—I cannot account for that.

5006. Do you find the proportion of the expenses you have to lay out on the school now very much increased?—Of course I have spent a great deal of money on them.

5007. Do you find that the large increase in the number of children creates anything like a proportional increase in the expenses?—We have had to get additional teachers.

5008. How many?—We have a principal and three assistants, and three monitors in my child school.

5009. And if you had an increase of twenty-five more children?—I would have to get another assistant.

5010. And in the early work of the school wasn't there a certain staff necessary?—Yes.

5011. And wasn't that the most expensive part of your staff?—The principals are paid by the National Board.

5012. The principal is more expensive than the assistants you have had to get?—Yes, but the assistants will require something extra to their salaries.

5013. Yes, but their salaries are nothing like the salaries of the principals?—No.

5014. Therefore, as the school increases in number, the cost of maintenance is not so much greater in proportion; as the expense of the principal original teacher remains the same?—We would require more assistants, but the increase would not be in proportion altogether.

5015. You gave me an answer at Swords the other day; that at the early period of the school, before it increased to large numbers, the first expenses were much heavier in proportion to the number attending than the later expenses when the number increased—wouldn't the cost of the last sixty pupils be less than the cost of the first sixty?—No.

5016. The assistant teachers you provide now when the numbers have increased to nearly 300 are as much on the same scale as the original principal teachers were?—No.

5017. Therefore, the last sixty don't cost you the same as the first sixty?—But I must provide accommodation for them and for the assistants.

5018. The expense of the assistants necessary for the last sixty children would not be anything like the sum necessary for the first sixty?—I don't see the point of that.

5019. Lord Justice Fitzgerald.—In the provisions for buildings in the National Board rules that fact is recognized for the scale is not to increase for each child; per head the large number costs less—it does not cost twice as much to keep a good school for 200 children as it costs to keep a good school for 100?—But, at the same time, the assistants are paid very badly and it is only fair if the manager could give them some help to enable them to live. With regard to the technical school, I only wish to give my views that if it could be established; that children as they advance in life could get the habit of being accustomed to trade and be trained as they grow up, so that they could go out to service with some little training, I think it would be of great assistance to them. As a rule, these who go out to service don't know anything, and they have to turn to work in the fields.

5020. Rev. Dr. McALLAN.—In reference to that, suppose it was found possible to combine a certain amount of industrial teaching with the teaching of the National Board; should you consider it desirable that that teaching should be carried on at the same time as the literary teaching or at a separate time?—If at the same time so much the better, but I think we would be able to get children to attend hours afterwards for the industrial teaching.

5021. And should it be carried on in the same building?—Yes, if it was large enough.

5022. With regard to the question whether the borough school should be given to you, or that £2,000 should be given instead, you seem to prefer the first of these two alternatives?—Yes.

5023. But suppose that in order to make the borough school available for the education of the Catholic children, it would be necessary to put it under the administration of a mixed body and use it for the education of the Protestant and Catholic children together—would you still consider that that would be more desirable than to have a sum of money handed over to the Catholic body to build new schools?—I would not have mixed schools at all.

5024. You consider in that case that the money to build additional schools for the Catholics would be better?—Yes; but, at the same time, it is unobjectionable to have these large schools going into ruin, as they will, unless they are given into the hands of the Catholics.

5025. Dr. TRAILL.—But suppose the Protestants are anxious to have mixed education, and that you insist on the other, do you think it right that the building should follow you?—But are they not getting a school that is quite large enough. We asked them in 1836 to introduce the National system and they would not.

5026. But they did in 1803?—Not until 1881.

5027. Lord CHANCELLOR.—What do you consider the proper division of the borough fund?—Well, here are schools which were built for 400 children, while the Protestants have only 30 or 40 children in them. We have nearly 400: is it fair to the Catholic people of Swords to have these large schools, capable of accommodating 400 children, with only 30 or 40 in them, and, at the same time, to take from that general fund £2,000 to build a school that is not wanted—I would give the money for the benefit of both sides.

5028. I was asking you what are your views as to the division of the money received from the trust fund of £24,700?—I think I am going at a very low figure in asking for £500 a year.

5029. Is that on the principle of the population of the parish?—Yes.

5030. Would you propose that the fund should be divided—£500 a year to the Catholic body and £150 to the Protestant body?—Yes.

5031. As regards the founding of exhibitions and the giving of money as advancement for apprentice fees—would you consider it desirable that any of these should be open to public competition?—Certainly not.

5032. On what ground?—On the ground of the numbers of our children, and that comparatively the poor are the greater number, far out of 132 children—the children of labourers and domestic servants—who competed for prizes, not more than one out of the whole number got a prize—I out of 132.

5033. Professor DOUGHERTY.—Did that arise from the fact that these children did not remain in the school as long as the children of a different class of life?—Yes.

5034. And would that not be met by giving prizes temible in the schools?—Yes.

5035. You would have a system of school exhibitions which would enable boys of the poorer class to remain in your school until they were able to compete with the boys of the better class?—I would give £100—£50 to each of the senior schools for prizes.

5036. Temible at the schools themselves?—Yes.

5037. You mean £50 for boys and £50 for girls?—Yes.

5038. To each of the Roman Catholic schools?—Yes.

5039. Lord Justice FITZGERALD.—You think one-sixth of the £500 ought to go for these prizes; that is on the basis of your getting £500?—Yes.

5040. Rev. Dr. MOLLOY.—What proportion should you consider it desirable to allocate for apprentice fees, as compared with the proportion allocated to prizes during the earlier school years?—These £50 prizes I put here, I look upon as either prizes or fees.

5041. Would you limit these to one boy, or extend them to more than one?—I would say for three boys, and three girls.

5042. In what proportion would you divide the £50?—Well, I think a girl is as good as a boy.

5043. Dr. TRAILL.—But how would you divide the £50 amongst three?—I think it would be only fair to give according to their answering.

5044. Those would not be in the nature of bursaries to put them forward in life?—They can make use of them for that if they wish.

5045. How do you propose to use the other £500?—£500 for technical schools.

5046. Professor DOUGHERTY.—What do you mean by technical schools? Do you mean a school for the teaching of particular trades?—Yes, and also to accustom children to handle tools, and make themselves useful—to teach them sewing and knitting.

5047. Lord Justice FITZGERALD.—Haven't they that at present in the National Board?—They may have.

5048. They are trying to introduce it?—But at the same time they could be trained to a higher class of knitting, embroidery, and the like.

5049. I see your little children do very good fancy work, and that is all under the National Board?—That is what we want.

5050. I am afraid if you try to establish a technical school in Swords, you will run away with the whole endowment in salaries?—I merely throw out my views as a suggestion.

5051. Professor DOUGHERTY.—Instead of attempting to set up a technical school at Swords, would it not be better to provide a number of exhibitions temible by boys from Swords at a school established in Dublin, or elsewhere, for the purpose of technical education?—If you consider the large population we have, we should be able with a little exertion to establish a school for ourselves.

5052. Have you any manufacturing industries there?—Yes, we have a coach factory; the making of carriages to cover bottles and we have some mills doing work.

5053. What sort of mills?—Flour mills, and some very good smithies.

5054. Dr. TRAILL.—Would not the £500 a year be absorbed in the employment of masters?—That is the reason I fell back on the proposal to have a Government grant.

5055. Would it not be better to pay £500 more among the boys in improving them, and assisting them, than to be trying to establish a technical school?—I merely wished to throw out a hint.

5056. Lord Justice FITZGERALD.—Isn't it the practical result for us that the technical school could not be worked out of this endowment. You could not work it without such a charge as would injure your primary education. Therefore, if we give you your just share, and give you a board to manage it properly, are we not leaving you free to take advantage of technical education, if it comes, leaving you in the meantime free to expend your funds for primary education?—I see the difficulty myself, but I wished to mention the matter.

5057. Rev. Dr. MOLLOY.—If you were to develop an industrial department in connexion with your National school would that not meet your views?—Yes.

5058. To teach handicraft in connexion with it?—Yes, if we get help.

5059. Dr. TRAILL.—How do you propose to deal with the other £200?—I want nearly £100 a year to keep things in order; besides my assistants must get something.

5060. £100 for maintenance of buildings?—Yes, and considering the original charter the poor should not be forgotten.

5061. Professor DOUGHERTY.—Would you propose to abolish school fees?—No. I am anxious to keep them because it keeps up the class of the school, and makes the children think more of it.

5062. You would give power to remit them in proper cases?—Yes.

5063. How much a year would you allow the Protestants for the maintenance of their buildings?—I think they can take care of themselves.

5064. Lord CHANCELLOR.—In what proportion should the Catholic endowment be handed over to the management of laymen?—I am more or less in the hands of my Archbishop in that respect.

5065. You are not in a position to tell us what is His Grace's view in the matter?—No.

5066. Lord Justice FITZGERALD.—Have you any proposal that you think would work for the construction of a body to manage your schools?—I think that the charter of the borough school was a very fair one; six members elected. I think it was fair as regards numbers; the Lord Chancellor was one of them.

5067. If you want six the parish priest should be one of them?—Not necessarily; I think I have enough to do as manager of the school.

5068. But to be manager ought he not to be one of the corporate body?—If you ask me, I think he should be, but I have no authority for speaking on this point as to the governing body.

March 28, 1902.

Rev. D. P. Molloy, &c.

March 26, 1886.

Rev. D. P.
Malachy, &c.

5066. Then you have not the acquiescence of the Archbishop?—No.

5070. Take yourself and the Archbishop; that is two, who could you suggest as the other four members?—I would not like to make a selection; it would be invidious to do so in my large parish.

5071. Do you think it would be desirable that they should be laymen?—Yes, men of intelligence.

5072. And men interested in the education of the children of the parish?—Yes, we want to get people interested in the education of the children—men who would take an interest in the work of the schools.

5073. I believe our own clergy make some complaint that the laity do not attend as much as they ought to, and that sometimes they are troublesome when they do attend—do you think it would be fair to have four laymen?—I don't think that would be a fair division.

5074. How would you suggest that the laymen should be selected?—I would give three ecclesiastics and three laymen.

5075. How would you select the three laymen?—I would ask God to direct me.

5076. Dr. TRAILL.—I see that the deputation proposed that the Roman Catholic governing body should be chosen by the Roman Catholic parishioners of Swords, would you have any objection to the Roman Catholic parishioners electing them?—I am altogether in the hands of my Archbishop now.

5077. Lord Justice FERGUSON.—We know you are speaking subject to the approval of the Archbishop, but what we want is the result of your own practical experience.

5078. Is there anybody corresponding with the body the Protestant people have by whom representative laymen of your own parish could be elected?—There is.

5079. Is it the parishioners all assembling in a body?—I need not tell you that electing in a very troublesome.

5080. There are several instances in England where the body of the people are Protestants, where old charters give the parishioners the right of electing, and there are many cases in which the plan has worked badly. Could you suggest any way of getting out of that difficulty?—We have some men of intelligence who could act—the very gentlemen who attended on that deputation, Colonel Foster and others.

5081. Do you think it possible, if in all other respects we can see our way to a just solution of that matter of nominating a board in the first instance, that that board should have the co-opting from time to time of the lay element of the Catholics—do you think the Catholics would be satisfied with that?—It is a very difficult question to answer; for I see the difficulty that will arise; if you select any one particular individual, who by his position in the parish is universally liked by the people, that is all very fair, but if you limit it to one or two, and bring it to a kind of electioneering it will do a great deal of harm.

5082. Dr. TRAILL.—Have you any Catholic laymen who are regular subscribers to your church fund?—We are expected altogether by the people.

5083. Would you have any objection to have a list of the subscribers, and that the laymen who showed an interest in the work by their subscriptions should select their representatives?—That would be rather invidious.

5084. Rev. Dr. MOLLAT.—Suppose in the first instance, in the scheme now to be drawn up, the board were to be named, could you suggest any way in which the vacancies could be filled up in a satisfactory way as soon as they occurred. The Archbishop and parish priest would be ex-officio, and perhaps a clergyman co-opted by them, making three, then three Catholic laymen might be named in the scheme, but could you suggest how the vacancies would be filled up?—The managing body would have the power of co-opting.

5085. Do you consider that the most satisfactory way?—I think it would be likely to work better the if you leave it to electioneering—that would be unpleasant.

5086. Lord Justice FERGUSON.—But my difficulty would be that you would have three ecclesiastics against two laymen when a vacancy occurred. Perhaps it would be better to ask the laymen about that?—Yes.

5087. Dr. TRAILL.—Would it be requisite that any layman who came to that board should have the sanction of the Archbishop?—No. I would not go so far as that. I would like his sanction to be given, but I would not require that. I should say that if a lay governor died the laymen would have the power of co-opting a man in his place.

Miss Alice
Bennister.

Miss Alice Bennister sworn.

5088. Lord CHANCELLOR.—Are you schoolmistress of the infant school?—Assistant teacher.

5089. Did you prepare this? return (produced) of

the number of children on the roll and the average attendance?—Yes.

5090. Is that accurate?—Yes. It is prepared correctly from the books.

R. Russell
Crutis, esq.,
J.P.

R. Russell Crutis, esq., J.P., sworn.

5091. The Lord CHANCELLOR.—You live at a short distance from Swords?—Yes. My house is not within the borough, but portion of my lands is, and I have property in Swords.

5092. Do you take an interest in this endowment?—I do, and I have for thirty-three years.

5093. We shall be glad to hear your views as to the future administration of the endowment?—If you would allow me to say one or two words in reference to some observations that fell from Mr. Twigg. I was one of those concerned in the removal of the children from the school in 1853, and it seems arising from that you have some difficulty in making a division of the fund.

5094. I don't think what took place in 1853 introduces any difficulty, but it is as to what we are to do now?—I mean to say that had we been allowed we should have remained connected with the borough

schools, but the system pursued drove us from the borough schools, and hence this division is necessary.

5095. Lord Justice FERGUSON.—But the practical question for us is at present—would it be possible to make any arrangement that would be satisfactory, in your opinion, and that would bring you back into the same school?—I think not.

5096. Therefore, for the future management, we must have two schools?—Yes. Kindly take it that the Catholics were not to blame for the severance that took place between them and the Protestants.

5097. Speaking for myself, I will take that for granted, but it is immaterial which party is to blame?—But, we have been often blamed for illiberality in reference to that matter. We don't consider this just. What I now say is confirmed by the Endowed Schools Commission of 1855; they justify every step we took, and after having visited the schools they sent a sub-

commissioner, I think, Mr. McBlain, a gentleman of the Presbyterian persuasion, who justified us and said we had been very badly treated.

5108. Dr. TRAILL.—On the other hand you would not blame the present governing body when they had not power under their charter to do impossibilities?—I think the Commissioners reported that they had far more power than they exercised.

5109. Lord CHAMBERLAIN.—They were not in connection with the National Board, was that one of the complaints?—We asked to be put in connection with the National Board, but Dr. Whately refused.

5110. When was that?—In 1836, Dr. Murray, our archbishop, was most anxious to have us under the National Board; the system in the school drove us away. Oscar Twigg had nothing to do with it at that time. I attack a system.

5111. What is your view as to the future management?—I think there must be separation as suggested.

5112. Lord Justice FRANKLIN.—In the Commission of 1880 in your own evidence, you stated that the Roman Catholics would, prior to 1865, have been content with the appointment of Roman Catholic teachers, but would not now be satisfied with anything less than a proportionate part of the endowment with which to endow their own National school; that it would be possible by means of the endowment to enable both the borough and the National schools to afford education in secular subjects of the same standard as in the model schools, and such solution would be satisfactory. You still think of aiming at such a standard of education as would be up to the model school standard, and that the division of the endowment should be proportionate?—Yes. As regards the application of the funds, I think one thing has been a good deal lost sight of, that there is a great deal of poverty at and about Swords. I know from observations that were made at the recent inquiry at Swords that what I am going to say is opposed to the views of the Commission; the ground of my evidence is my own personal experience; for, with the exception of some residence on the continent, I have been all my life residing in the vicinity of Swords. I know the circumstances of the people intimately, and I would be disposed to go on the old lines of the charter owing to their condition.

5113. You think that provision should be made for a frugal meal, if necessary?—Yes, and that the poorer people should have assistance in clothes, and the advantage of getting coal at a reduced price.

5114. Lord CHAMBERLAIN.—Do you mean at their houses?—No; coal at the stores. The people are most anxious to have these advantages. I know the poverty that exists at times when work is scarce, and I don't think that that has been sufficiently considered in the evidence brought forward.

5115. Lord Justice FRANKLIN.—You think more attention should have been paid to the physical condition of the people?—I think the material interests of the people have not been considered as they should be consistently with carrying out education.

5116. In what way do you think that could be carried out?—By giving them a meal, coal at a reduced price, and such other material aid as the governing body might approve of.

5117. That would be for the advantage of the parents?—The parents would have the advantage and the children would benefit. With reference to the apprenticeship fees, there is a very strong feeling in the neighbourhood in favour of them; they worked very well in the past. I intended to remind you that the ratepayers have some influence under this Educational Endowments Act; they intervene at a certain stage, and it is well to know what they wish; they are most anxious to have portion of the funds applied as apprenticeship fees.

5118. I suppose under apprenticeship fees you include any payment for the advancement of the pupils in life?—Yes.

5119. You would not tie them down to this trade or craft, but give payments to enable them to learn the

telegraph business or anything else?—I would go on the principle that the price should be applied in some way that would advance in life the boy or girl who received it.

5120. Do you consider that the apprenticeship system would be best worked by limiting one portion of the apprenticeship fees to one school—the old school—and another portion to the new school, or by establishing some system by which the best children in each year should get them out of whatever school they came from?—I regret that the separation was ever necessary; but now disconnect the schools in toto. I would divide the fund and have two institutions totally distinct.

5121. Supposing them to be totally distinct, how would you provide for the case of there not being a sufficient number of deserving children in one year, and an excessive number in another, or compensate for there being a larger number in the one school than in the other?—If you make an equitable division of the fund, whatever is not required for annual expenditure can be taken over.

5122. You don't propose to compel the governors to give any fixed sum in apprenticeship fees in each year?—No, I should leave it at their discretion.

5123. Your proposal would come to this—that the governing body of each school separately, should have power to appropriate portion of their own share of the fund to apprenticeship fees and advancement fees in each year in which they thought the children deserving it?—My theory is this—suppose there were ten deserving children in the school—five boys and five girls—

5124. Dr. TRAILL.—In which school?—The Catholic school—I would give them £300 a year—that is £30 to each pupil.

5125. Lord Justice FRANKLIN.—According to all human experience, if the number is fixed at ten, would not you have more than ten in one year, and less in another, and you may not have children enough to make the average of ten every year deserving of these prizes?—We have not got children enough.

5126. When you come to deal with a fixed number of ten children you will find, for instance, that the ten children of the crop of 1885 will be very different from the ten children of the crop of 1886, if you are tied down to a fixed rule?—I don't know that there will be any deficiency in the number of children.

5127. Rev. Dr. MOLLOY.—I suppose you mean that with the number of children in your school—300—there would always be a sufficient number deserving these prizes?—Yes, I assume that amongst such a number of children there would be at least ten deserving of these fees.

5128. Dr. TRAILL.—But you must include the greater majority who are in the lower class?—Yes; but as far as my information goes, I don't think there is much in that difficulty. We can always produce five boys and five girls competent to win these prizes.

5129. Lord Justice FRANKLIN.—Besides apprenticeship fees, do you think it would be desirable to make arrangements for school payments for children who could not remain on at school unless they had some allowance to help them?—I think yes. Anything of that kind that could be carried out I would approve of. I know that the system of prizes is very much esteemed amongst them.

5130. Rev. Dr. MOLLOY.—Do you think it would be well if the scheme was so drawn up as to leave power to the trustees of the fund to apply it in the manner they thought best for the interest of the children?—I would, within certain limits; but I don't think the technical school idea could be carried out, and such is the general impression. It would cost too much money, and the habits and wishes of the people don't favour it.

5131. Would not the habits and wishes of the people be represented on the board? Any scheme in which we should draw a hard-and-fast line might be very good in the present time, but twenty years hence

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R. Russell
Clerk, esq.,
J.P.

March 28, 1896. different conditions might arise, and our scheme ought to be of such a character as to be good not merely for this period, but for all time?—But could you not have it amended by another Commission?

5122. Lord Justice FRYGROVE.—But we want to prevent your having to go to any other Commission?—I wish to impress upon you that they are in favour of these apprentice fees.

5123. The first matter is education for poor children?—Yes.

5124. In the next place apprenticeship fees or payments at the school?—Yes.

5125. You see no objection to leaving it in the power of the governing body to determine how much should go to each of these?—No. I wish to impress upon you that material aid is very necessary.

5126. By material aid you mean food, clothing, and fire?—Yes. I think there should be discretionary power given to the governors to expend £2,000 on the Catholic schools.

5127. That would be met by giving you discretionary power to draw upon capital for £3,000, in the meantime allocating that £2,000 to your school?—Yes.

5128. That is adding that sum to your share?—No, the £2,000 would come out of our share.

5129. What is to be the body that is to govern your share?—I think it should be composed of the Archbishop of Dublin, the parish priest, and four laymen. I don't think the clerical element should be anything larger than that.

5130. How would you propose that the four laymen should be selected?—I think it would be well in the first instance to have the governing body named by the Commission, and then going upon the principle of the Act under which you are now proceeding, I think the ratepayers ought to have a voice.

5131. That has been occurring to us—the ratepayers being Catholics?—Yes.

5132. Supposing the ratepayers to be Catholics, and that they are to have a voice in this, could you give us any idea what franchise they should have to make it a respectable constituency?—They should have the franchise now.

5133. Dr. TRAILL.—You would not go below £4?—No.

5134. Would you make it equivalent to the Poor Law Board qualification of £30?—I think that would be too high.

5135. Rev. Dr. MOLLOY.—What is the franchise for electing poor law guardians?

5136. Should you consider that a desirable body?—I personally would have no objection to it.

5137. The ratepayers themselves could give us their views on that question?—Yes, I think it would be better to ask them.

5138. Lord Justice FRYGROVE.—You think a body of six would be the right number?—Yes, and if there is to be any change in the number I would add two more laymen. I think that would be an improvement.

5139. Rev. Dr. MOLLOY.—The Catholic Archbishop and the parish priest should be *ex officio*, and the remaining number should be elected?—Yes, that they should take precedence, and the rest be elected. I think the lowest proportion ought to be four laymen to two ecclesiastics. I would prefer to have six laymen.

5140. Dr. TRAILL.—Would you be satisfied to have the Catholics *ex officio* also if there were six laymen?—No; I think the proportion should be what I have stated.

5141. Lord Justice FRYGROVE.—Would you like to have any ladies on the Board?

5142. Dr. TRAILL.—You did not say in what proportion you wished to distribute the fund?—You heard a good deal about that.

5143. What would be your idea of an equitable principle to follow?—I think you should base it on the circumstances under which we were turned out of the school.

5144. You turned yourselves out?—No, they were turned out. I refer you again to the report of the Commission, and of Mr. McBlain, a Presbyterian gentleman.

5145. I admit you had a great hardship; but these gentlemen had not powers?—I think we ought to get a large portion of the fund.

5146. Don't you think it would be reasonable if there was a distribution of it according to population that the minimum expenses of the Protestant school should be provided for?—I do not, that would be very fair. I would give a fair sum to the Protestant community. It is not my wish that their school should be starved, but, at the same time, I think provision should be made which would fairly meet our claim, and at the same time leave them all they could justly ask.

5147. Rev. Dr. MOLLOY.—What is that division?—If you insist on my fixing a sum?—

5148. I would like to know?—I don't think we ought to be offered less than £18,000.

5149. Lord Justice FRYGROVE.—That is a capital sum?—Yes.

5150. Do you consider it would be more advantageous to you that a fixed sum should be fixed now, or your proportion ascertained by the work done by each denomination from time to time in the future?—I think there should be a final settlement now.

5151. The difficulty of that is that if, for instance, Father Molloy's anticipation came true, and the Protestant school was reduced to thirty in a few years, they would be getting their proportion still on the present number?—I think if you give us £18,000 the Catholic community will not be dissatisfied with it.

5152. Dr. TRAILL.—You are aware that the whole original sum was £18,000?—As much of the income as was not required was invested to the credit of the government. The origin of this grant was compensation to us for the loss of the civil right to return members.

5153. That was at the time of the Union. Would you consider it a fair claim on the part of the State to take the money back in case the Union was dissolved?—That is a hypothetical way of putting it.

5154. Rev. Dr. MOLLOY.—Should you consider it a satisfactory arrangement if the fund was to be administered by a public board, and a certain proportion of the income allocated to each school from year to year according to the work done?—I think that would be a very fair principle. But I should prefer to have the fund divided.

5155. Lord Justice FRYGROVE.—What is the advantage you propose to yourselves from the principle of dividing the fund now finally, instead of dividing it year by year according to the results of the work?—There is an open sore, and I want to close that sore. I want to be good friends with Canon Trigg and everybody else in the borough.

5156. At the price of £18,000?—No; what about seven? The £18,000, at least, are rightfully ours.

5157. I think we must leave all the seven out. Do you see any practical difficulty in having a division of the fund according to results, leaving it in the hands of the National Board—of the Lord Lieutenant's Inspector—do work on the figures—do you see any difficulty in taking that as a test?—I do not, but prefer to divide.

5158. Dr. TRAILL.—Do you see any objection to make first provision for the minimum expenses of the school?—I think the minimum ought to be first met. I agree with what has been said as to making liberal provision for the minimum expenses of the Old Brough school.

Mr. John Lowndes sworn.

March 26, 1895.

Mr. John
Lowndes.

5157. Lord CHANCELLOR.—You are an inhabitant of Swords?—Yes. I live in the town.

5158. You are a Poor Law Guardian?—Yes.

5159. I see your name has been suggested as one of the trustees of this new scheme. We shall be glad to hear your views as to the future management of this endowment?—I think the old endowment was carried out in a very proper way in any day; there was money given to children for attending; there were premiums given to the younger class, and a good education. It kept them out of the streets very much in my time.

5160. Dr. TRAILL.—What year was that about?—About 1835.

5161. Were you at the borough school yourself?—I was.

5162. Lord CHANCELLOR.—Apprentice fees were given at that time?—Yes; £20 was given a few years before that, and it fell to £15.

5163. And was good use made of it?—Yes, a good many improved themselves well on it, and became wealthy people.

5164. You are telling us what you would like to see carried out now?—Yes.

5165. Would you be in favour of uniting the two schools back again?—No, I would not.

5166. You think that is impossible?—Yes.

5167. Is it possible to go back to this system of 1835, that you have been describing?—I don't want you to go back to it. I am only telling you the use it was.

5168. Suppose there must be two school boards, you think two schools ought to be carried on?—They ought to get according to their number a fair divide in that respect.

5169. According to the number of children attending the schools?—Yes.

5170. Lord Justice FITZGERSON.—Would you call it a fair divide, to divide it now according to number from this time out, or according to the number from time to time?—According to the number at the present day.

5171. How could that decide what it would be ten years hence?—This is the right time for doing it, when the schools are large.

5172. If the number attending one of them fell away, wouldn't it be an unfair divide?—I would not like the claim to go against me in that case. I would like to have a fair divide and have done with it.

5173. Lord CHANCELLOR.—You would not like to have any future disputes about it?—I would not, my lord.

5174. Lord Justice FITZGERSON.—What would you think a fair divide?—According to the number of children.

5175. Dr. TRAILL.—Isn't the cost of educating a small number of children greater in proportion than the cost of educating a larger number?—Yes.

5176. Wouldn't the cost of educating your first fifty be much greater than the cost of your last fifty?—No, my teachers have to be provided.

5177. But you don't supply new principal teachers for every new fifty pupils?—You have to put in some new teachers.

5178. You would be inclined to admit that in fairness a certain allowance should be made to provide in the first instance for efficient teaching for any number, however small?—Yes.

5179. Lord Justice FITZGERSON.—Take it now that you have got your fair share, and that you have your own schools separate for the Catholic pupils in Swords, who would you like to see managing these schools?—Four laymen and two clergymen; but I would rather see six laymen and two clergymen.

5180. You agree with Mr. Cruise?—I do.

5181. Where would you recommend us to go look for the laymen?—In the very middle of the borough.

5182. How would you choose them?—The men round the borough are listening to every complaint from the children—they should be taken from different parts of the borough.

5183. How would you take them?—They would have to be elected by the ratepayers.

5184. On what rate would you allow them to vote?—The same as the poor law guardians.

5185. There is nothing better than the way of electing poor law guardians?—No.

5186. That is £30 qualification?—Yes.

5187. That is the strong farmers and shopkeepers?—Yes; independent men, who did not want to have anything to do with them, only to see that the schools were well looked after.

5188. Dr. TRAILL.—Then you would not give all the ratepayers the privilege?—I would give them the benefit, but not the vote in it.

5189. Lord Justice FITZGERSON.—What is your idea about having any of the money spent in apprenticing children, or for their advancement in life?—I approve of it well, and I think where the parents are able to assist the children to get into a technical school the money should be applied to that purpose to help them.

5190. Do you think the money would be better spent in giving it to a technical school in Dublin or somewhere else, or in establishing a technical school in Swords?—We could not have a technical school there at all; it would do away with all the money.

5191. You would like to have power to give money to assist them in every form?—Yes, up to the age of sixteen or seventeen years.

5192. Rev. Dr. MOLLOY.—What do you think of applying portions of the fund to the development of industrial education in connexion with the school?—If it is all satisfactory without interfering with the very poor people, for it is really the poor people that want it.

5193. Is not industrial education of advantage to the poor?—But it would cost them more to carry that on than they could get by it.

5194. Don't you think that a small sum of money spent in teaching industrial arts to the children of the poor would be better spent than if given to them in actual money?—Some people it would be well with, and more it would not be well with.

5195. If it could be done with economy you think it would be desirable?—If it could it would be desirable.

5196. Dr. TRAILL.—A small sum at a critical time is often of more value than a larger sum afterwards?—Yes; to rear them when they are not able to take care of themselves.

5197. Lord Justice FITZGERSON.—Would there be any difficulty in getting the ratepayers to give their votes at the election of the lay governors?—Not if it would be to their own advantage.

5198. Rev. Dr. MOLLOY.—When you say the inhabitants of Swords, do you mean to include the area that we had before us here?—Yes; the two miles radius.

5199. Lord Justice FITZGERSON.—Are you satisfied with the two miles radius?—Yes; it is rather too large; I think it would be better to have a mile and a half.

5200. Would you sink patriotism and my English miles?—Yes.

5201. Lord CHANCELLOR.—Do you know Father O'Leary?—I do.

5202. Would you agree with him that the boundaries should be extended seven or ten miles?—No. And another thing, I don't think any person in the neighbourhood should be entitled to fee or anything out of the fund in less than seven years.

5203. Lord Justice FITZGERSON.—Do you mean that the parents should be seven years there before the children were entitled to anything?—Yes.

5204. Rev. Dr. MOLLOY.—Why would you hold that?—Because we would be infested with too many people running in. Any chance we have is from this little thing, and if it is put to good use it will keep down the rates.

March 25, 1881.

John H. Grey.

John McEvoy sworn.

5207. Lord CHANCELLOR.—Do you live in Swords or its neighbourhood?—In Swords; I got my fee from the borough school in 1838.

5208. You were taught there?—Yes.

5209. Tell us what you think ought to be done in reference to the management of the schools?—They ought to be worked according to the old charter, giving trades and premiums to the children.

5210. But you don't think the two schools ought to be put together?—No.

5211. That is out of the question now?—Yes; out of the question altogether.

5212. What would be a fair divide of the fund?—According to numbers.

5213. Do you mean the numbers in the school now, or from year to year?—From year to year, I would say.

5214. You would not wish to have a final division made now?—No; from year to year.

5215. Are you satisfied with the two million area?—Yes, quite satisfied. At the time I was at the school we should be seven years in the parish.

5216. Is it necessary one should be seven years in the parish?—I would be of opinion it would be necessary.

5217. Lord Justice FITZGERSON.—It was not necessary that you should be seven years in the parish to get teaching at the school?—No, but to get a grant, the apprentice fee. That is a grant for people going out.

5218. But the grant now is for teaching in the school—do you consider the pupils should be seven years in the parish before they could get the benefit of the school?—No, I would not.

5219. Rev. Dr. McLELLAN.—If the parents were inhabitants of the borough in the sense in which we

have taken it, would you then object to the children getting the prizes and apprentice fees?—If the children had been attending for four or five years, I would not when the parents were inhabitants.

5220. Dr. TRAILL.—Suppose a policeman came and was stationed there, would you deprive his children for three years of the fee?—I would; he should be seven years there to get the apprentice fee.

5221. Why six seven years?—It was seven years in my time.

5222. Lord Justice FITZGERSON.—What is your idea of who should have the management of the school?—As Mr. Lowndes said I would be for the two clergymen—the archbishop and the parish priest, and four laymen.

5223. How would you choose the laymen?—I consider that they should be voted for by the ratepayers.

5224. Rev. Dr. McLELLAN.—Would you be content if they were elected by those who elect Poor Law Guardians?—Not so much.

5225. Wouldn't it be reasonable to require the same qualification for those taking charge of the education of the poor as for those who take charge of the management of the poorhouse?—No, I would rather think the franchise was too low for that. I would raise it more.

5226. Lord Justice FITZGERSON.—You would have a higher franchise for electing the governors than for electing Poor Law Guardians?—Yes.

5227. What would be the franchise?—Something about £30.

5228. Lord Justice FITZGERSON.—What would you say to confining the election to the hundred largest ratepayers in the district?—Yes, as a number.

5229. What is the electoral division?—Barthory union.

Mr. John Lowndes recalled.

Mr. John Lowndes.

5230. Lord Justice FITZGERSON.—How far does it extend?—It is far larger than the borough.

5231. How many voters are there in it?—About 500. It is much larger than the borough.

5232. Did you mean that children should be seven years in the borough before they could get education?—No, it should be open to every one the day they came there, but for the fee they should be seven years there.

Thomas Magrane sworn.

Thomas Magrane.

5233. Lord CHANCELLOR.—Do you live in Swords?—I do; I live in the town.

5234. What are you?—A farmer.

5235. We would be glad to hear what you have to say about the scheme?—I went to the school myself, and this last witness was monitor over me.

5236. Lord Justice FITZGERSON.—And do you repeat his opinion now as much as you did then?—Evenly, the very same. What he says I would like to follow.

5237. Do you agree with him that you would like to have four ratepayers joined in the management of the schools?—Yes.

5238. And how do you propose to have them elected?—In the same way as Mr. Lowndes and Mr. McEvoy said.

5239. You think a £30 rate would be fair?—Nothing less.

5240. Lord CHANCELLOR.—You would not like a £4 rate?—No.

5241. What do you think ought to be the divide of the money between the two schools?—As to the number of the children.

5242. Lord Justice FITZGERSON.—Do you mean

the number of children attending in 1838, or two years to year?—I take the present time.

5243. Lord CHANCELLOR.—Supposing the number changed four years hence, and that the children of the Protestant school fell off, would you still keep up the divide?—Yes, I would chance it.

5244. Dr. TRAILL.—In order to have a final settlement?—Yes.

5245. Lord Justice FITZGERSON.—Could you guarantee that the people ten years hence would chance it too?—No.

5246. How many people are there in Swords rated at £20 and upwards?—I would say there are over one hundred.

5247. What would you say to a proposal that a hundred of the largest ratepayers should elect?—I would say a hundred or half of it; but anything less than £30 ratepayers would not be right.

5248. Rev. Dr. McLELLAN.—You said you would like the present settlement to be final?—Yes.

5249. But a settlement might be made which would be quite final, and yet which would provide that the sum allocated to each school should be in proportion to the educational work done in each year?—Yes.

5250. Suppose a principle of that kind were adopted and were made final, would there be any objection to it?—No; certainly not.

5251. Do you think it would be a stimulus to each school to work well, if the income was to depend from year to year on the work it did?—It would.

5252. Dr. TRAILL.—Would you be prepared to compare the work done by each school by allowing the people to go into the same school?—No, I would have them separate.

5253. You would give the money to the one school as the result of work done, without comparing it with the work done in the other school?—No, each school should have their own system.

5254. Quite independent of the other?—Yes.

5255. Rev. Dr. MOLLAT.—According to the number of children taught, is that what you mean?—Yes.

5256. Lord Justice FRYGROVE.—You know both these schools are under the National Board now?—Yes.

5257. And you know the Board makes payment by results at the end of each year?—Yes.

5258. Take it that the results fees paid in 1885 were £30 to the Protestant school and £130 to the Catholic school, and that the children were in the same numbers, you would be for dividing the sum in proportion?—Yes.

5259. But supposing that in 1890 the money stood quite differently, and that there was only £15 paid to one school and £130 to the other, do you think it would be just to divide in 1890 according to the proportion in 1885?—I don't understand that.

5260. Dr. MOLLAT.—Suppose there was only half

the number of children at one of the schools in 1890, would you still divide the fund according to the division in 1885?—It would not be fair to divide it in that way.

5261. Suppose the number of children fell off in one school would you give that school less when the children became less?—Yes.

5262. Dr. TRAILL.—Suppose that from the superior teaching in the small school the number went up from thirty to sixty, would you be prepared to pay according to the results in that case. Supposing the results went up in the minority school, would you increase them in the same way as you would diminish them in the other school?—Yes.

5263. Then that is not a permanent division of the fund. Would you prefer to have a sum fixed now or that there should be a sliding scale?—I would prefer to have the thing settled now.

5264. And not have a sliding scale from year to year?—Yes.

5265. Lord Justice FRYGROVE.—A considerable number of the ratepayers of Swords have attended here to-day?—Yes.

5266. Have you and Mr. Lowndes and Mr. McEvoy had an opportunity of knowing their views?—Yes.

5267. As far as you know, do they all agree with you three?—They were unanimous before they came here at all.

5268. And is the matter you have taken an interest in and have considered?—Yes, because I was there myself in that school.

5269. Mr. FEIGY, q.c.—When were you there?—In 1890.

John Lowndes recalled.

5270. Lord Justice FRYGROVE.—You know these school buildings?—Yes.

5271. You know the old buildings and the new ones?—Yes.

5272. As regards the buildings, what do you think would be the way it would work best for both Protestants and Catholics. Would it work best to give a sum of money to enable the Catholic schools to do as much as they ought to be, and the teacher's residence also, or try to move some children back and forward from one school to the other?—We have no communication with each other at all.

5273. What about the buildings?—I would leave that to the commissioners. Let them do whatever they like in that respect.

5274. Dr. TRAILL.—Would you rather exchange your building or have £2,000 in cash to make your buildings as good as the others?—Whatever the ratepayers wish, but I won't say what.

5275. Rev. Dr. MOLLAT.—But you represent the ratepayers?—I would rather have the schools than the £2,000.

5276. Dr. TRAILL.—What would you do with the present National school, if the National school was

moved up to the old borough school?—We have as much as would fill the two. We were going to build a school for the infants below, but we would move them up to the borough school.

5277. Where would you send the Protestant children?—I don't know for that; I took no part in this matter.

5278. Hasn't the population decreased in Swords?—It will increase now.

5279. Why?—Because we are all getting better, and we will have five land.

5280. Rev. Dr. MOLLAT.—Is there a suitable plot of ground for building upon in connection with the present National school?—I think Father Melody has a site for a priest's house and school.

5281. Suppose an ample sum was provided by which the Catholic body were enabled to build a school for their own purpose in connection with their present school, would that be satisfactory?—I would leave that to the ratepayers.

5282. You consider that £2,000 is a very good provision for building?—Yes; you could do a good deal that way with it.

A. Russell Ormrod, esq., J.P., recalled.

5283. Lord CHAMBERLAIN.—You have heard Mr. Lowndes asked as to the disposal of the present school buildings, as to whether these buildings should be handed over to the Catholics or a sum of £2,000 given in lieu of them for the purpose of building a proper school, and turning the present school into one suitable for the requirements of the Protestants—what is your view as to that?—I don't think it is very material to us, because the schools are just worth £1,000.

5284. Lord Justice FRYGROVE.—With a view to the settlement of the matter, would it be wise to shift

the schools or leave them where they are; enabling the one that is too small to provide itself with proper building?—I would consult the wish of the Protestant community, and if they had a strong desire for the schools, I would not press them to give them up.

5285. The resolution by the Protestant representatives is that whatever is done they should be left the schools they practically have at present?—As the Protestant community desire to retain the school buildings, their wish in the matter should, in my opinion, be respected.

March 20, 1890.
Thomas
Maguire.

John Lowndes.

A. Russell
Ormrod, esq.,
J.P.

March 26, 1885.

Peter Esley.

5285. Lord CHANCELLOR.—You are anxious to tell us what you think should be the management of the borough school in the future?—As far as management is concerned, I say we claim complete separation in the first place, and in the next place we go in for trades; in the next place that any boy getting a suitable fee, that his parents might be allowed to put him forward for better education.

5287. That in place of applying the money to apprenticing him to some trade they should be at liberty to send him to some better school?—Yes.

5288. Now about the division of the money, what is your view?—I would go in for £20,000 of the money, and complete separation.

5289. What would you do with the school buildings?—I think, we have a right to the borough school as to our numbers, and if the present school is not sufficient for the Protestant population, Father Mulcahy will give them the school we have built at great cost.

5290. How long is that school built?—In 1853, I believe.

5291. You were at the Borough school yourself?—Yes.

5292. And you seem to have a liking for it?—Yes.

5293. Rev. D. P. Mulcahy.—Was there a meeting of the parishioners as to the borough school?—Yes.

5294. What was the feeling of the meeting?—The unanimous voice was for the borough schools.

5295. Did any one object?—No. I did not hear any one object.

5296. Dr. TRAILL.—You consider the building worth £2,000?—I consider it would be better to have the £2,000 in the fund. We have at present sufficient schools in Swords for the children, and to take £2,000 out of that fund would be very unwise.

5297. Your present school cost about £1,500?—More than that.

5298. And wouldn't the £2,000 be supposed to pay that?—Yes.

5299. You would not be obliged to spend it on the building?—But then we want another school. Father Mulcahy wants another school.

5300. But you have ground for another school?—We have to beg money to build that.

5301. But you have got the money already?—If we have it is taken from the people of the parish.

5302. But this £2,000 would amply repay you for

the building?—Yes, but if it is left in the fund and not removed, we will benefit by it.

5303. You want to get the building and the £2,000 both?—No.

5304. Only your share of the £2,000?—Yes.

5305. You consider your share is £20,000 out of the £24,000?—Yes.

5306. Do you think that the Protestant school could be worked with the remainder?—I am not able to say that—according to the population.

5307. But you know the expenses of the school don't depend on the population?—No, but it depends on the number of pupils.

5308. You would have to have one teacher at all events?—Yes.

5309. And you want a building whether it is for ten or sixty pupils?—Yes.

5310. And you, as a neighbour, would be anxious to provide for the education of your Protestant neighbours?—Yes.

5311. And you consider them entitled to a fair grant?—Yes.

5312. And wouldn't it be more expensive to provide for their education at first than after you had provided the plant in the first instance?—Sure they are provided for at present.

5313. But your proposal is to take away £20,000 out of the grant?—But sure they have school buildings at present.

5314. Lord Justice FRYGEMAN.—But you unanimously agreed that they should not have these any longer?—But we give them the other schools we built at £2,000.

5315. Are they in a suitable place for the Protestant children to go to?—Yes.

5316. Rev. Dr. MOLLOY.—You propose to exchange buildings?—Yes; we have a large school, and there is no use in laying out money on buildings when we have sufficient already.

5317. Lord Justice FRYGEMAN.—But, as a farmer, you know you find it difficult to transport as old tree?—Yes.

5318. Rev. Dr. MOLLOY.—You find a large school building with a small number of children, and you propose to exchange buildings, putting the large number into the large building?—Yes.

5319. Dr. TRAILL.—How many do your present buildings hold?—There are 300 or 400 in it at present. You saw it the day you were down there.

Dr. Francis J. Davis.

Dr. Francis J. Davis, B.A., M.D., L.P., sworn.

5320. Lord CHANCELLOR.—You are coroner for the county?—Yes. I am a Fellow of the College of Surgeons and coroner for North Dublin.

5321. You live in Swords?—Yes, in Crossna, near Swords. I wish to explain the position in which I stand. In 1853, when the Poor Law medical officership of Swords became vacant, it was stated that the ordinary salary was supplemented by £70 a year from the borough schools, together with a sum of £10 to distribute to the poor, and it brought out candidates; I came too. I then held two medical appointments in Westmeath. On the day of the election the salary as medical officer of the borough schools was named by letter from the local governor (Canon Twigg) as £25; being then a very young man, and money not being the same consideration to me as now, I did not mind the reduction from £70 to £25, and since then I have been discharging the duty to the best of my ability.

5322. What are the duties you discharge?—I attend the teachers when ill, and also any of the children of the school when ill. I have attended them always, and as the teacher of the National school can certify, I allow the National school the benefit of the salary I receive from the borough school.

5323. What were your duties defined to be when you were appointed?—To attend the teachers, and the children of the school.

5324. You were not bound to attend the parish?—No.

5325. Are you dispensary doctor?—Yes. I was induced to take the appointment in consequence of the supplemental salary offered.

5326. Take the case of the children attending Father Mulcahy's school. You attend the greater portion of them on red tickets?—No; indeed many of them are farmers' children.

5327. Who would be in a position to pay you for their attendance?—Yes. The farmers' desire is always to pay the doctor, and they never require the service of the doctor without paying him. I think after my service I should not be overlooked in any allocation of the fund. I thought the reduction from £70 to £25 was a little hard on me, and to say that I should not now continue in the same position would still be worse.

5328. Lord Justice FRYGEMAN.—You have a vested interest in the £25, but you have no vested interest in the other £45, which you never get?—No.

5329. I understand that your vested interest at present is in £25 a year, for which you are bound to

attend the children and teachers, who are attending the borough schools, and as a matter of fact, you have attended in addition the teachers in the National school?—Yes.

5330. Dr. TRAILL.—Had the great reduction taken place in the number of pupils when the reduction of the salary was made from £70 to £35?—I cannot say that.

5331. Dr. MALLON.—What was the date of your appointment?—In July, 1855.

5332. Dr. TRAILL.—Was the reduction in the number of pupils the reason alleged at the time of reducing the salary from £70 to £35?—I don't know. There is only one point more I would take the liberty of mentioning as to the allocation of the fund. Acquainted as I am with the interests and education of the farmers' sons, I think it would be a stimulus to education if some one amongst them advanced himself in life, and gave the schools a character, which I think they deserve, and that would be best carried out in my humble judgment by an endowment of say £25 or £30 each, for scholarships, leaving it open to kids of sixteen years of age in the National school, and at the termination of the six months, that the lad should pass in subjects he learned during the six months, and if unable to pass in those subjects he should forfeit half of the value of the scholarship. I am induced to offer that suggestion in consequence of one of the farmers' sons having taken at a competitive examination for all Ireland, second place. He was a pupil of the National school, and his sole teacher was the teacher of that school—he solely and entirely trained that boy for the examination.

5333. Which school was he teacher of?—Of the National school at Swords, the Catholic school; and this boy now occupies a very prominent position.

5334. Professor DOUGHERTY.—Would you be disposed to throw the scholarships open to the children of the borough of Swords, or would you attach a scholarship to the Catholic school and another to the Protestant school?—I would attach a scholarship to each.

5335. You are not in favour of open competition?—I am in favour of these scholarships being established in both schools, though I speak more in reference to the old National school of Swords.

5336. But might not the open competition have a healthy effect on both schools?—Do you mean that the pupils of the Protestant schools would be obliged to compete with the others for the one scholarship?

5337. Would you prefer to have scholarships the competition for which should be open alike to the Protestant and Catholic children?—I would leave it open to the pupils of both schools, and to all children

resident within two miles, because I think it would be a kind of advertisement for the superior educational training that is to be had in these schools, and it would bring pupils to them and give a character to the teachers, such as the late Mr. Merriman thoroughly deserved, to whose name and fame as a teacher I desire to pay this tribute. I think also it would advance the educational training of the young men in the parish, and enable them to attain the position now occupied by the young man I referred to, who has now, I believe, £300 or £400 a year.

5338. Dr. TRAILL.—What would be the value of the scholarship?—£30 or £25.

5339. For more than one year?—My idea was to have it tenable for two years, and that the holder should pass an examination after the first six months for the reasons already stated by me.

5340. Do you mean £30 a year, tenable for two years?—Yes, and in order that he might not be idle, he should pass an examination after the first six months.

5341. Would you be in favour of giving one or two scholarships to the Protestant school?—I would give two or four and others besides, having some open to both schools, but I would not have them all open to both.

5342. You mean one for boys and one for girls?—Yes.

5343. Professor DOUGHERTY.—I think you mean that these scholarships should be tenable at some place of higher education?—My opinion is that the teachers in Swords are very far in advance of what is required at the Civil Service public examinations, and they are able to make up the boys in all the required subjects.

5344. But you would leave it optional with the holder of the exhibition to keep it in Swords or to carry it elsewhere?—That is a question I have not considered. During the last six months of his training it should be optional with him to go to some other school where he would be brushed up in the classics (if such were necessary).

5345. Would it not meet your view to have a smaller exhibition in the Swords school, and this higher exhibition, which could be utilized by a boy who wished to go to a higher school, such as the Blackrock College, or some school of that character?—That would depend on the teachers who were in Swords; they would have the curriculum of the examination before them, and they would be able to decide. If an extensive knowledge of classical and modern languages entered into that curriculum, it would of course be necessary that the pupil should be permitted to go to a higher school and utilize the scholarship for that purpose, but for the ordinary Civil Service examinations, the teachers in Swords can prepare a pupil.

William Bowden sworn.

5346. Lord CHANCELLOR.—Do you live near Swords?—About a mile from it.

5347. You have heard the views expressed on both sides, is there anything you wish to add to anything they have told us?—I agree with what is said by the gentleman on the Catholic side.

5348. Are you a Catholic yourself?—Yes, I am, and I have been more or less connected with this agitation, at least the original agitation fifty years ago, but I have not taken much part in it lately.

5349. What is your idea of the division of the money—is the division that is to take place now to end the matter, or is the division to be according to numbers from year to year?—Now, and to end the matter.

5350. Have you formed any idea, there being now £34,000 in the fund, how that ought to be divided?—I would leave that as it stands and divide the income from that.

5351. In what proportion?—In proportion to the children; as Father Mulohy said, five-sixths.

5352. And the borough school to be handed over to the Catholics; or would it meet your view to have £3,000 given in place of it?—I think it would be very hard on the Protestants to give up the borough school, but they have had whole control of this money since it was given in 1803. We have not had it for eighty years, and if you give it to us for the next eighty years. When this agitation commenced about fifty years ago, in 1846, there was a meeting held in Swords. Father Carey, the parish priest, in the chair, and they made the same demand then that we have made ever since. Since then there were various agitations and deputations to the government. Dr. Whately thought we were badly treated, I think we may infer that from his answer, and he said he could not go beyond the Act of Parliament, and that he would be glad to get rid of the position. Then in the deputation to the government in Dr. Trevelyan's time, Lord Chancellor Law held precisely the same view, he thought us very unfairly treated also. Then the government the other day came forward with their scheme, proposing to give us half

March 24, 1884.

Dr. Trevelyan J. Barry.

William Bowden.

March 21, 1885.

William
Howard.

of the fund and £2,000. We may assume from that that we have been very unjustly treated, for the last seventy or eighty years, and it is not too much now to ask to be treated very considerably by the Commissioners. That is one reason why I think we are entitled to have the schools back, being the great majority, and having been so very unfairly treated for so many years.

5353. **Dr. TRAILL.**—Wasn't it your own voluntary act to leave the schools?—No, we were obliged to do it. I am entitled to a pew in the church of Swords, suppose I made any complaint to Canon Twigg of not being fairly treated as I got no benefit from having the pew, he might say, there is your pew, come in; but he knows I could not go into it.

5354. Considering that this is the first opportunity that they have had the power of asking to get this matter put right, you don't attach blame to them for not doing a thing they had no power to do?—But the Act authorised them to do many things they did not do; they might have given us Catholic teachers, and not locked us out of Protestant books.

5355. But the present generation is not responsible for that?—But we can't forget all these things.

5356. But you would not consider it a good way to

rectify one hardship to double it?—I give them what they are entitled to on the other side.

5357. If you deprive them of their schools and don't leave them enough to carry on the school?—They had the use of them for eighty years.

5358. But those who are coming after them had not the use of them yet?—They will have their share of the fund.

5359. **Lord Justice FINCHAM.**—If you carry out your plan of giving back the schools, wouldn't it be necessary to take a share of the fund equal to the schools in order to establish other schools?—I would give them their share.

5360. **Dr. TRAILL.**—But would you give £2,000 for the schools?—No.

5361. They offer it to you?—They have a right to do it.

5362. **Professor DOUGHERTY.**—You would like to see the question settled once for all?—Yes.

5363. And you would not like to send the Protestants away with any irritation in their minds?—No.

5364. You would be prepared to accept a little less than in strict justice you would be entitled to?—I don't want my pound of flesh to the last morsel from them.

Rev. Canon
Twigg.

Rev. Canon Twigg recalled.

5365. **Rev. Dr. MULLOY.**—It has been stated by you, or someone representing your interest, that the borough school is larger than is required for the number of children going to it, and that under the proposal in this scheme it would be made available to a certain extent for parochial purposes?—Yes.

5366. I want to ask you whether you would not consider it equitable that if the school was used for parochial purposes, it should be subject to some small rent, and whether the rent might not be considered part of the endowment of the borough school: because you should remember that it has been brought before us that this school has been built out of a public fund, and if it is used for other purposes in order to turn it to good account, it seems equitable that the people who use it should pay some rent which would go to the endowment of the school?—Certainly. I would not object to that, but they would not be at all satisfied to give up the schools.

5367. **Lord Justice FINCHAM.**—You heard Mr. Baker's evidence on the point that £50 a year ought to be set down for repairs and maintenance of the building, and that that might be fairly set off against the value of the building used; that is to say, so far as they are used for other purposes, that a fund should be

thoroughly created for the repair of the building for school purposes; in short, if you are left these schools you should not be given any money to maintain them, but should be compelled to maintain them out of their own surplus value?—I should be glad to do that.

5368. **Father Mulcahy** suggested that you should exchange schools, and he said he was willing to give you up his schools?—I would not agree to that. I would rather appeal to the public first.

5369. On what grounds?—The schools are in a quite unsuitable position. The other schools are near the Church and the clergyman's house. The National schools are in a remote part of the town, and it would have a great moral effect, and would be a great discouragement to the minority to take these schools away; and I should object very strongly.

5370. And I believe Father Mulcahy's schools are close to his residences, as yours are close to yours?—Yes, and they are also convenient to the Roman Catholic chapel.

5371. Then from your point of view that would not be a possible solution of the question?—No. I would rather build a new school than take over the other schools.

William
Howard.

William Howard sworn.

5372. **Lord CHANCELLOR.**—You live in Swords?—Yes.

5373. You have heard the evidence given by the other gentlemen representing the ratepayers?—Yes.

5374. Is there anything you wish to add to that?—No, only what has been spoken by other parties.

5375. Is there anything special you would wish to add?—No, only it is the wish of the poor of Swords

to get trades out of the school rather than have any of this technical business.

5376. Do you mean by getting trades getting money to be bound to trades?—Yes.

5377. Not to be taught trades in the school?—No, that would run away with the funds of the school.

Miss Catherine
Allen.

Miss Catherine Allen recalled.

5378. **Lord CHANCELLOR.**—You wish to make a statement?—Yes. What I want to say is this, if there is an examination by public competition it would be unfair to us, because we have a large proportion of labourers' children, who cannot remain long enough at the school.

5379. You have such a large number of labourers' children who have to leave school early, that if you had open competition they would not be on fair terms?—Yes, we had 250 children, and of these 150 want to find labour or domestic service without getting any advantage from the competition. They were the

children of unskilled labourers, and if there is open competition our children will not be able to compete with better off children.

5382. Lord Justice FRANKLIN.—Suppose the children of your own school were to compete amongst themselves without the children of the borough school at all, wouldn't these 132 be out of the competition entirely also?—Yes, I agree with the proposition that the bulk of the prizes should be given amongst the poorer children.

5383. This idea of exhibitions is not intended for the poorer children, it is quite clear it can only go to the cleverer children who are going on to better their position in life—do you think it would be of advantage to your own school that you should have some exhibitions of that kind?—Yes, amongst themselves.

5384. If it is limited to children of the better class, how does the difficulty arise of your sending them to compete with children of the same class from the other school?—I would not be afraid in that case at all.

5385. In other words, your injustice is that you have a larger proportion of poorer children at your school than would in no case come in for competition, and therefore, if a competition for exhibitions went on the proportion of hands you would be unfairly treated because there was a larger proportion of your pupils who would have no chance at all?—Certainly.

5386. Suppose out of the whole endowment a small proportion, such as £100 say, was available for exhibitions, do you see any difficulty in that being given to the best children from the two schools?—In the borough school there are no poor children, in our case there are five-sixths poor, so that we have only one-sixth to compete with the others.

5387. Lord CHANCELLOR.—Are they not able to remain on as long as in the borough school?—No.

5388. Dr. TRAILL.—Would not the competition between the two schools be the more equal when the numbers who could compete for these exhibitions were nearly equal, as they would be when the poor children were deducted?—No.

5389. Lord Justice FRANKLIN.—You are clearly entitled on the arithmetical principle to a very large proportion indeed, but if there is any part of the endowment set apart for better class children, should you not compete for that with the other children in the borough school?—I think competition amongst our own children would be best.

5390. Rev. Dr. MOLLAY.—Are you quite satisfied on account of the large number of children in your school that there would be always a sufficient number

of children who deserved these exhibitions?—There would be always sufficient.

5391. There would be no deficiency of children of merit for a reasonable number?—No.

5392. Dr. TRAILL.—You are aware that when Dr. Griffin held the examination that that was not the result?—If we had been treated fairly.

5393. Are you aware that Dr. Griffin does not know one child from the other, and does not care?—We never taught English history in our school; I prepared my children on going to the borough school examinations, and whenever the borough school girls defeated ours it was in English history. There were too many rounds of English history given. We never had any confidence in these competitions.

5394. Professor DOUGHERTY.—But if the examination was conducted by a totally independent authority?—I would be for total separation. It might be fair for a year or so.

5395. Dr. TRAILL.—Suppose the Lord Lieutenant sent down an examiner, would you be satisfied?—We never had the advantage they had; we never saw the examination papers, and wherever it was a fair competition we were not afraid.

5396. You would not be afraid to compete with them in that case?—Not a bit afraid to compete still.

5397. Lord CHANCELLOR.—We now have heard the evidence as to these schools, and I think we have been put in possession of nearly all the information we can get regarding them. Our next duty is to prepare a draft scheme under the Act of Parliament, and, after preparing it, to publish it and give notice of it. The scheme so prepared is not final. During the two months succeeding its publication, any person interested can make any objection he pleases, and propose any amendment or change in it. When the two months are up it is open to us to consider the objections if they come in, and we will consider it our duty if the objections are of a serious character to sit again to hear what every person has to say with regard to them. When we have published the proposed new scheme, and when we have heard the objections, if any, it will be our duty to prepare a final scheme to go before the Privy Council. Our duty is then at an end. We will take some time to consider what has been laid before us, and as soon as possible we will publish our first draft.

Mr. LEWIS.—I hope you will take into consideration the fact that there are no fees going into the National school.

The Commission then adjourned.

March 26, 1905.
Miss Catherine
Abern.

April 12, 1886.

MONDAY, 12TH APRIL, 1886.

At the Commissioners' Office, No. 23, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FITZGERSON, Judicial Commissioner; and Rev. GEORGE MOLLOY, D.D., D.S.C., F.R.S.L.; ANTHONY TRAILL, Esq., LL.D., M.D., F.T.C.D.; and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD KELLER, Esq., LL.D., was in attendance.

BERTRAND FEMALE ORPHAN SCHOOL, DUBLIN.

Mr. Pennefather, q.c., Mr. Henderson, q.c., Rev. Canon Jellett, Rev. J. S. Hamilton, M.A., Rev. Hamilton Hayes, M.D., and Mr. George Woods Mansell, Trustees of the Charity, were in attendance, representing the School.

W. G. Brooke, Esq., attended on behalf of the Committee on Education of the General Synod of the Church of Ireland.

Mr. James J. Shaw (instructed by Mr. Henry), on behalf of the Education Committee of the General Assembly of the Presbyterian Church in Ireland.

5396. Lord Justice FITZGERSON.—Bertrand's School is already under the administration of a Chancery scheme settled in 1872. The Governors gave notice, provisionally, that they would submit the scheme already approved of by the Court of Chancery, but Mr. Glick, the Secretary, subsequently wrote that they were about to submit that the endowment was one of those within the exemptions in section 7 of the Act, and withdrew the notice of intention to lodge a provisional scheme. We sat down the matter for consideration on the question of exemption, and we were unable to see any ground for holding it exempt. Accordingly, it appears now in the list in the ordinary course for consideration whether it is necessary to settle a scheme or not. What we have done in other cases where there is a recent Chancery scheme, is to inquire from the Governors administering it, whether in any respect they think it advisable there should be a change. We now propose to inquire into the working of it as it is, and then to hear anyone who proposes a change.

Mr. Pennefather, q.c.—The Governors think that inasmuch as a scheme was settled recently by the Court of Chancery, if an alteration is to be made, it should be made by the Court. The matter was fully gone into before the Court of Chancery. Counsel were heard on both sides, and everything was done in the ordinary way, with the result that the present scheme was then settled. And, therefore, the scheme being so recent, we thought that this Commission should not deal with it.

Lord Justice FITZGERSON.—It is impossible for anyone reading the Act to say that we are in any sense a Court of Appeal from the Court of Chancery. On the other hand, our duties are different from those of the Court of Chancery, and in many respects our powers are much larger. In every case where there is a Chancery scheme recently settled, we will regard it as having been settled under the jurisdiction of the Court in the best way for the endowment; but in some cases it may be expedient to apply, even to a recent Chancery scheme, the fuller powers that the Commission possesses. Therefore we cannot consider in any case that our powers are not to be exercised, because other powers, of a less effective kind, have been exercised by the Court of Chancery. But we shall, in all cases, treat the settlement of a scheme by the Court of Chancery as a judicial gift.

Mr. Brooke.—I appear for the Church of Ireland, and what I would suggest would be, that inasmuch as we consider the scheme under which the endowment is

now administered to be a very good one, it lies upon anyone objecting to it in the first place to suggest what alterations might be made. The last account of the working of the charity is given in the Report of the Endowed Schools Commission, 1881, in which the Inspector says, "This institution is in every respect a model. The house was in perfect order, though I gave no notice whatever of my visit," (p. 271).

Lord Justice FITZGERSON.—That was an account of the working of the school, but anything more removed from a model than the management of this endowment, as shown in the whole history of the institution for the previous seventy years, it is impossible to conceive.

Mr. Brooke.—There was no school before that.

Lord Justice FITZGERSON.—The testator had given his property in 1806, and from that to 1872 the property was never made available at all. The Report of the Endowed Schools Commission, 1881, states:—"Though the institution has thus at length been made efficient, its history affords melancholy proof of the cumbersome and costly machinery provided for the management of such charities in Ireland." There is then an account of the dealing with it by the Commissioners of Charitable Donations and Bequests, and the Report then states:—"A scheme was settled under the sanction of the Court of Chancery, and in 1872 the school was opened, but after a lapse of sixty-six years from the original gift of the endowment. During this period, except in the payment of the original mortgage for £1,000, nothing whatever had been realised or applied to any useful purpose, and the whole income of the estate had been lost or spent in current outgoings and the costs of litigation and management," (p. 181).

Mr. Henderson, q.c.—The school did not exist until 1872.

Lord Justice FITZGERSON.—The school did not exist till then, because the money was spent for the sixty-six years in that way. However, I am happy to say that that all ended before the Commission of 1880-81, and we need not go back upon it now; what we have now to do is to take the evidence of those actually managing the charity, to inquire as to its being managed in accordance with the scheme, and then to hear any proposals made to alter it. We take the scheme settled by the Court as *prima facie* right, and it will be for anyone who objects to show the ground of his objection. That is the course we took in all other cases of Chancery schemes.

Thomas Gick, Esq., Mus. Doc. sworn and examined.

April 10, 1884

Thomas Gick,
Esq., Mus. Doc.

3387. What examinations have you to test the proficiency of the school?—Mr. Rodkin, the Inspector under the Erasmus Smith's Board, inspects the school twice every year.

3388. Have you any of his reports here?—No.

3389. You balance your accounts on the 31st December in each year?—Yes.

3400. I see that your expenditure last year in the school, including food, clothing, salaries, furniture, incidental expenses, £90 for apprentice fees, and £63 15s. 4d. investment, was £735 17s. 11d. There is a sum to the credit of the apprentice fund of £63 15s. 4d. That is under section 10. The Commissioners of Charitable Donations and Bequests said that the dividends accruing on that fund should be added to £50 annually placed to credit of the apprentice fund, making the sum of £63 15s. 4d.

3401. Your apprentice fund at present appears to consist of £413 6s. stock from the previous year, and £44 16s. 7d. purchased with that sum of money I have mentioned, and, therefore, should be altogether £458 5s. 7d., but you add to the other side to meet apprentice fees £60 4s. 5d. stock?—Yes.

3402. Then you both invest and sell in each year?—Yes, as the fees are required.

3403. Dr. TRAVERS.—What is the date of these transactions. I suppose they do not occur at the same time every year?—No, but if we have any balance in the bank we pay out the apprentice fees from that balance and make one thing of it.

3404. So that it is a matter of book-keeping; you did not actually buy and sell?—Not at the same time.

3405. Lord Justice FRYGROUSE.—Did you not begin by investing £63 15s. 4d. in £64 15s. 7d. stock. Then in the same year you sold £60 4s. 5d. of the stock which produced £60, which was spent on the apprentice fees?—Yes.

3406. In the previous year, in the same way, you invested £67 4s. 11d., and you sold out £56 8s. 4d.?—Yes; under a resolution the apprentice fund fees must be paid out of that fund and not taken out of the general fund.

3407. Is that in consequence of the wording of the scheme?—In conformity with the wording of the scheme.

3408. So that the effect of having it in that form is that you pay two brokerage each year, one to buy and the other to sell?—Yes.

3409. Rev. Dr. MALLORY.—Would any practical inconvenience follow if, instead of doing that, you spent out of the fund in hand what is required for apprentice fees, and then invested the balance remaining over?—That would be much better.

3410. You do not see any practical inconvenience that would result upon your doing that?—I do not.

3411. Lord Justice FRYGROUSE.—Then it is in consequence of the terms of the Chartery scheme that this complicated course is taken?—Yes.

Mr. FERGUSON, Q.C.—I do not at all mean to say that what you have suggested may not be a much better plan, but we look upon it as incumbent on us to invest the money whether children are to be apprenticed or not.

3412. Lord Justice FRYGROUSE.—You might perhaps have read the scheme as meaning that you must invest £60, whereas what was meant was probably that you should put by at least £50 in each year, and if you wanted a smaller sum you might invest the balance and draw on it in the next year.

Mr. FERGUSON, Q.C.—We follow the words "set apart and invest."

3413. Lord Justice FRYGROUSE.—How do you fix the amount to be invested?

Mr. FERGUSON, Q.C.—The £50 specified and the dividends of the preceding year.

3414. Lord Justice FRYGROUSE.—I see mention made of the "Accumulated Rents Fund." What is that?

Witness.—Before the establishment of the school the rents had accumulated to a larger sum than the governors wanted for actual use, and instead of leaving it to the current account they invested it in stock and receive a certain sum yearly. In that way they consider it a sort of reserve fund to be drawn upon in case of necessity.

3415. You are still accumulating that fund?—No, we are reducing it in the way of repairs to the school.

3416. Last year you commenced with £236 4s. 8d. stock, and you received £7 1s. 8d. dividend, and you transferred the £7 1s. 8d. to the general account, so that last year the accumulated stock remained the same as before?—That was at the end of last year. Previously it was £260 odd.

3417. Yes; you sold £100 12s. 5d. for the cost of new roofs in 1882?—Yes.

3418. Then you had also a balance in bank to the end of the year, to the credit of the Apprentice Fund, £14 17s. 5d., to the general account, £98 16s., making the expenditure on the school, £670 2s. 5d. For that you say you maintain twenty children?—Yes.

3419. How many were apprenticed; the fees were £60 last year?—Two were apprenticed last year.

3420. Then there were two children benefited by the apprenticeship endowment during the year?—Yes.

3421. Therefore, the pupils benefited cost you nearly £31 a year each?—Yes.

3422. Have you any rent to pay?—£70, but that is paid by the Commissioners of Charitable Donations and Bequests.

3423. Rent is not included in these accounts?—Not in these.

3424. Do they pay anything else besides rent for you?—Yes, some of the charges. I have brought the last rental furnished by the Commissioners of Charitable Donations and Bequests to the governors.

3425. Dr. TRAVERS.—How often do they furnish it?—Sometimes not for a year or more. The last half year is for 1884.

3426. Do the Commissioners not give you the accounts half-yearly?—When their accountant lodges to their credit the sum is transferred to the credit of the governors.

3427. Lord Justice FRYGROUSE.—£1,039 7s. 11d. is the rental of the property, and the property is all at Kingsland Park, Cleburn-street, and that neighbourhood. I suppose you know nothing of the management of the estate?—Nothing whatever.

3428. Nor of the lettings made from time to time?—Nothing.

3429. Is it all lease property?—At that time it was not.

3430. Professor DOUGHERTY.—Is the agent here?—No.

3431. Lord Justice FRYGROUSE.—£1,039 7s. 11d. appears to be from buildings in the first instance. The poor rates allowed were £108 18s. 8d.?—That is on the pound on the rental.

3432. Are you able to tell us anything of that?—No.

3433. In the Report of the Endowed Schools Commission, 1870-81, it is stated that—"Mr. William Hamilton Maffett, the agent of the Commissioners, informed us that the gross rental at the date of our inquiry was £1,024 6s. 10d." It is now £1,080. "Deductions allowed to the tenants were poor's rate, exceeded £90 per annum, and the full poundage was deducted from the rents paid, even where those were ground rents; and the premises were occupied by valuable buildings, let to under-tenants. Mr. Maffett told us that he knew this mode of calculation to be perfectly wrong, and that the tenants were entitled to deduct only the proportion which the rents they paid bore to the rents they received from the under-tenants, but he stated that he allowed the deductions by the directions of the secretaries." The deductions

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Thomas Greig,
Esq., M.A. Doc.

allowed now seem to exceed £100 per annum in spite of this Report?

Mr. Pennefather, q.c.—We have nothing to say to that. That is entirely in the hands of the Commissioners.

5434. Lord Justice FRYGEMAN.—Head rents £175 11s. 3d., and £70 rent you pay for the house you have, and the postage on the rent received is £43, and then the rest is in cash. These accounts appear to show your gross rental to be £1,039, and the net rental would be something about £700. Do you get any account of the capital stock from the Commissioners?—None, whatever.

5435. Is there any capital stock except what appears here, £448 1s. 2d. stock to the credit of the apprentice fund, and £236 4s. 3d. stock to the credit of the accumulated rents' fund?—I think not.

5436. Professor DOUGHERTY.—In whose name is the stock invested?—In the names of two of the governors.

5437. Lord Justice FRYGEMAN.—As to the £448 1s. 2d., and the £236 4s. 3d., both sums are in the names of your own trustees?—Yes.

5438. What is your own salary?—£25 a year.

5439. How often are you bound to attend?—At every meeting.

5440. Have you any duties in the way of inspection of the school, or looking after the institution?—No, there are two lady visitors for the purpose.

5441. How often do they visit?—There are no stipulated times.

5442. Have you power under the scheme to appoint a committee of ladies?—I think so.

Mr. Pennefather, q.c.—The governors were all men who did not understand the proper management of children, and two ladies very kindly said that if they could be of any use, they would give up their services.

5443. Lord Justice FRYGEMAN.—They have not done it under a regular by-law, but as a matter of voluntary assistance?—Yes.

5444. Do you know whether the ladies visit at stated times, or only occasionally?—I do not.

Mr. Pennefather.—The visits have not been very frequent, because one of the ladies—Miss Trench—is gone away, and the other lady has been of most essential service.

5445. Who is the other lady?—Mrs. Henderson, of Mountjoy-square. She is frequently there, and she suggests to us what orders we should give in the way of purchasing dresses for the children.

Rev. Canon JELLET.—Another lady has been appointed since Miss Trench ceased to visit.

Mr. Pennefather, q.c.—There are two ladies now. The wife of one of the Presbyterian governors has taken Miss Trench's place, but I am sorry to say that her state of health has been such, that she has been able to give us very little assistance.

5446. Rev. Dr. MONRO.—What is the average number of years for which the pupils remain in the school?—About six years.

5447. Then how many vacancies generally are there each year?—Two and sometimes three.

5448. Are there a large number of candidates anxious to obtain admission?—Yes.

5449. Lord Justice FRYGEMAN.—Is there any list of the candidates?—No.

5450. Then each governor looks out for a candidate before the time of nomination comes?—Yes.

5451. And is the child bound to attend before being admitted?—It is customary, and also the surviving parent or relative along with the child. The governors have power under the scheme to arrange their own mode of election.

5452. I understand the mode agreed upon was this, to allow each governor to nominate in turn?—Yes, and then the election would come before the board.

5453. But the election of the board is only formal?—Yes, provided the child is eligible.

5454. Is there any instance of the rejection of a child nominated by a Governor?—None.

5455. Have you any children at the school that are not orphans?—None.

5456. Is there any provision in the scheme that the pupils are to be orphans?—The first section of the scheme states that the school shall be called "the Bertram Female Orphan School."

5457. But the form for admission contemplates both parents being living—"name, occupation, and residence of parents, or parent, if only one living?"—I think in one case the father was living.

5458. Are the circumstances of the child inquired into by the Board on the occasion of the election?—Certainly, and it is considered that the minister who signs number two certificate has made proper inquiry into the case also, as well as the Governor who nominates the child.

5459. Is there any official inquiry by the whole Board, as a Board, before the election, in order to satisfy them as to the circumstances of the children seeking admission?—In general there is, on the part of the Governor who nominates the child.

5460. Professor DOUGHERTY.—But the Board never ignores the recommendation of the Governor who nominates?—They do not.

5461. The election is virtually the admission of the candidate nominated by the individual Governor when turn to nominate it happens to be?—Just so.

5462. Rev. Dr. MONRO.—It is stated that some of the pupils come very imperfectly prepared in point of education?—Some do.

5463. Then there is no selection made as to those who are best qualified in point of education?—No; the Governor who nominates is supposed to make all due inquiry as to the necessities of the case before he gives his nomination.

5464. What is the usual amount of apprentice fee paid?—It varies from £20 to £30 according to circumstances.

5465. Of course it does not exceed £30?—That is the maximum.

5466. What were the last two children apprenticed to?—One was apprenticed to a dressmaker, she had a fee of £30, and the other was apprenticed to a milliner.

5467. Were these taken as indoor apprentices?—Not indoor.

5468. How long were they bound for?—Two years.

5469. Then they lived with their friends?—They lived with their friends. There was an arrangement that they will give a certain amount of wages, in the case of Misses Finn, who were willing to return the fee in wages during the term of the apprenticeship.

5470. Now the year before that the apprentice fee amounted to £30, was that for one apprentice?—I cannot say without referring to the Apprentice Register. Sometimes fees are paid in instalments, and not in a bulk sum.

5471. Does your account show the amount actually paid?—Not the fee paid. I said it all depends.

5472. Do you find the system of apprentice fee to work satisfactorily?—So far as the fees themselves go.

5473. Are they a substantial advantage to the girls?—Decidedly.

5474. Professor DOUGHERTY.—Have you a record of the history of the girls after leaving the school?—No.

5475. Lord Justice FRYGEMAN.—Do you lose sight of them after they leave?—We do, in most cases.

5476. Dr. THOMAS.—You do not ask them to communicate with you from time to time?—No.

5477. Lord Justice FRYGEMAN.—Who audits the accounts?—The Commissioners of Charitable Donations and Bequests, once a year.

5478. Rev. Dr. MONRO.—Would the pupils in your school be fit to go to the training school in Kildare-street?—Some of them would.

5479. What fees would it be necessary to pay for them there?—I do not know.

Rev. Canon JELLET.—The apprentice fees would be accumulating during that time?—The fund is larger than is required.

5480. Professor DOUGHERTY.—Do children leave the school without getting the application fee?—Sometimes.

5481. Rev. Dr. MACLEOD.—Would you think it desirable sometimes to apply the money available for application fees for the purpose of advancing the children's interest by giving them a start in life in some other way?—Perhaps it would be.

5482. Lord Justice FRASER.—Did I understand you to make payments for other purposes besides binding them to train?—No, not in application fees.

5483. Then would you not give a sum of money for putting them into a training college?—That has been considered by the governors, and they consider that they can do so.

5484. Mr. James J. Shaw.—What provision do you make for religious instruction in the school?—The pupils attend St. George's parish Church, and the ministers of St. George's attend the school, and give religious instruction there.

5485. Does any other minister attend but the minister of St. George's?—The curate.

5486. On Sundays, I suppose they go to St. George's Church?—Not all; the Presbyterians go to Rutland-square Church.

5487. Have you been Secretary since the commencement of the school?—Since the commencement.

5488. When did the children commence to go to Rutland-square Church?—About eighteen months ago the Presbyterian clergyman made the application.

5489. Previous to that, where did the Presbyterian children go for religious worship?—They all went to St. George's Church until there was an application made to alter that.

5490. Then the Presbyterian children went to St. George's Church with the others?—Yes.

5491. And they all received religious instruction from the minister of St. George's Church?—Yes, there was no request made to the contrary.

5492. Dr. TRAILL.—Why did the Presbyterian governors allow that?—No objection was made to the arrangement until recently. They did not always associate Presbyterian children.

5493. Professor DOUGHERTY.—I suppose the Church of Ireland governors did not always nominate Church of Ireland children?—I cannot say that.

5494. Lord Justice FRASER.—In January, 1885, you had a meeting. There appears to have been no meeting in February, and you had no quorum in March or April. In 1884 there was no quorum in May or June, and on each of those occasions you were obliged to have the accounts passed conditionally?—Yes.

5495. Do any of the Governors visit the school except on the occasions of those meetings of the Board?—Occasionally Mr. Henderson does.

5496. Are the meetings held at the school?—Yes.

5497. Professor DOUGHERTY.—Did the governors consider the question of submitting a scheme to this Board?—They did.

5498. Was there a vote on the question?—It was decided that the governors should not put forward a draft scheme.

5499. I see a minute of a special meeting where the motion in favor of preparing a draft scheme was put, and declared lost?—Yes.

5500. Those voting in favour of it being the two Presbyterian trustees, and those against it being the Church of Ireland trustees?—That was on the question of altering the scheme.

5501. Lord Justice FRASER.—I see that in the report the school appears to have been inspected on Monday, the 16th November, 1883. It states, "the present numerical state of the school was—females, 18; members of the Church of Ireland, 18; Presbyterian Dissenters, none; Protestant Dissenters, none; Roman Catholics, none; total, 18. The school continues to make satisfactory progress. The lowest class might have required more careful instruction.

I was much pleased with the children's proficiency in music, under the superintendence of Dr. Glick, who was present on the occasion. The appearance and demeanour of the children was very pleasing. W. H. Radcliff." The next report is dated Monday, 16th November, 1885. The denominations of the children are blank. Then there is a question, "is the school visited and by whom?" Answer—"Weekly by the Secretary; occasionally by lady visitors." Is the school often visited, and by whom?—Occasionally by the clergy and ladies.

5502. When did the four Presbyterian children come in?—I should say within the last three or four years.

5503. Were there not Presbyterian children there all along?—Not until lately.

5504. In 1880 there were Presbyterian children there?—Perhaps so.

5505. Rev. Hamilton Mages.—All along there were Presbyterian children there?—I was not aware of it.

5506. Mr. J. J. Shaw, M.P.—You contribute to the funds of St. George's Church?—We do in the extent of £5 a year.

5507. Is that for the religious instruction of the children?—It is for the curate fund.

5508. It is given in consideration of the religious instruction of the children?—Yes, and for their place in the church.

Rev. Canon Jellist.—That was only recently voted?—About two years ago. It was considered that as the children occupied seats in the church, some contribution should be made.

5509. Dr. TRAILL.—Do you pay anything towards Rutland-square Church?—No; no application has been made.

5510. Professor DOUGHERTY.—Was there a motion on the subject of payment to St. George's Church brought before the Board?—Yes, and it was submitted to the Commissioners of Charitable Donations and Bequests, and it met with their approval.

5511. Lord Justice FRASER.—Are the particular clergy who visited the school, the clergy of St. George's Church?—Yes.

5512. Then the school is not visited by the Presbyterian clergy, except so far as it is visited by the governors?—It is not.

5513. Do you know the date of the motion suggesting the payment to St. George's Church, for I see it was proposed and carried in the absence of the Presbyterian trustees?—I cannot exactly say now.

5514. Mr. Shaw.—Give me the names of the Presbyterian pupils at present in the school?—I could not give you all of them.

5515. There seems to be some doubt as to whether there are four?—I think there are four, I am not quite sure.

5516. Rev. Hamilton Mages.—There are not four going to the Presbyterian Church?—I made inquiry within the last week, and I heard that a girl named Jamieson was a Presbyterian. I was unaware of it until I made the inquiry.

5517. Lord Justice FRASER.—Is it stated in any rule made by the governors, that the Church of Ireland clergy should visit the school?—There is no special rule.

5518. Then I presume that the Presbyterian clergy of the district, if they chose to do so, could visit it also?—Yes.

5519. Then they would find out the names of the children of their own parishioners if they went there?—Yes.

5520. Dr. TRAILL.—Is not the Presbyterian clergyman of the district one of the governors?—Yes.

5521. Just as the Church of Ireland clergyman of the district is one of the governors?—No, because the school is not established in the parish which the will contemplated, viz. St. Nicholas Without, to entitle the rector of that church to be an ex-officio governor.

April 11, 1881.

George Woods
Mansell, esq.

George Woods Mansell, esq., examined.

5522. Lord Justice Fitzgerald.—Do you wish to give evidence?—In so far as I have heard Mr. Gisk, he conveyed everything to you.

5523. Lord Justice Fitzgerald.—You and Mr. Pennefather are the survivors of the original trustees?—Yes, we were appointed by the Vice-Chancellor without previous knowledge on the part of either of us, following an investigation which took place before him, at which all the parties were represented, including our late lamented friend, Dr. Kirkpatrick, on behalf of the Presbyterians, coupled, I think, with another—Mr. McKee. They both appeared before the Vice-Chancellor, and stated their views on the subject of the school. Up to this we have had no complaints that the school is worked in any way adverse to the interests of either party; on the contrary I recollect cases in which when Dr. Kirkpatrick had not a child to nominate himself, without the slightest hesitation he nominated a Church of Ireland child. There has been in that respect, I think, an inclination on the part of every governor of the school to do everything that would be fair and reasonable and right.

5524. Have you any reciprocity in the matter of nomination; have Church of Ireland trustees nominated Presbyterian children?—I remember a case in which Dr. Kirkpatrick expressed anxiety to have a child nominated, and the child was nominated. But either of my friends here will tell you that more accurately than I can.

5525. Professor DOUGHERTY.—I see that Peter Bertrand, who bequeathed the money, nominated the two ministers of Mary's abbey, who were Presbyterians, and the two ministers of St. Werburgh's and St. Peter's, and contingent on the school being erected on a site in the parish of St. Nicholas Without, the minister of that parish was also to be a trustee. That contingency was never fulfilled. Under the will of Peter Bertrand the number of Presbyterians and Episcopalian trustees should be exactly equal. Now, under the scheme sanctioned in 1869, the number of Church of Ireland trustees was increased, because three lay trustees were added, all of whom were members of the Church of Ireland. Do you think it is probable that the Presbyterians were satisfied with that arrangement?—I think, taking the definition of the Protestant party to include the Presbyterians and the Church people, that they have no reason to be dissatisfied.

5526. Should we not look also to the intention of the founder?—I do not think, so I have read the will, the intention of the will shows any idea that there should be lay representation of either; but from my experience of public charities, I think it was probable that it was a wise feeling on the part of the Vice-Chancellor that the laity should be associated with the clergy.

5527. I quite agree with that, but would it not have been desirable to have added Presbyterian lay trustees, when you appointed Church of Ireland lay trustees?—I was not a party to the inquiry which took place before the Vice-Chancellor, and I do not know exactly what occurred, but there was no man held in higher respect than the late Dr. Kirkpatrick, his case was put forward by counsel before the Vice-Chancellor, and I have no doubt if he had made a case it would have been complied with.

5528. But your own sense of fair-play will allow that if it was the wish of the founder, as plainly appears on the face of the will, that the two denominations should be equally represented on the board of governors in making an addition of lay trustees, who were members of the Church of Ireland, a similar addition of Presbyterian lay trustees should have been made?—I beg to say I hardly fall in with the premises. I do not think it is plain he contemplated any lay representation of Presbyterians. I think the will would seem to contemplate special terms for two

gentlemen then existing, and under what might be called a succession of ministers.

5529. Then you think Peter Bertrand was a member of the Church of Ireland or England?—Yes, I have heard so.

5530. You have wide experience of churches?—Yes.

5531. Do you know any other case in which a member of your Church has nominated two Presbyterian ministers as trustees of an endowment or as executors of his will?—I cannot call to mind any other case, but there may be a dozen.

5532. You have not heard of any such case?—I cannot say I am aware of any.

5533. Lord Justice Fitzgerald.—Let me read the minute of the 26th April, 1863, at which meeting it was moved:—

"That, so far as practicable, the course adopted in the King's or St. John's Hospital in the election of children be adopted in relation to Bertrand's charity, viz., that each governor shall have a conclusive right to nominate one, and having so nominated, the governor shall take position at the foot of the list remaining, but each governor having a right to exchange his choice with another governor, and that the election shall then be carried on by the general vote of those present."

Is not that the rule under which you have been acting?—Yes.

5534. Then the right you exercise is but the right of nomination?—Yes, we never question the right of nomination by either, whether Presbyterians or members of the Church of Ireland, and I believe the proportion of children capable of being admitted to school in Dublin is vastly in excess of the proportion of the Presbyterians on the Board.

5535. But the rule is that they are to be elected by a majority of the governors present at the meeting, so that the governors have a right to dissent from the nomination under the rules?—I never recollect any case of dissent.

5536. Do you think that is a compliance with the scheme, or an election at all?—The plan works with perfect satisfaction.

5537. Dr. TRAILL.—I suppose your idea was that it would not be fair to the Presbyterians who are in a minority, and that it would be only fair to give them a nomination in their turn?—I do not think it was, but I never heard the question raised on the nomination of anyone.

Mr. Pennefather, Q.C.—When an election takes place the chairman puts to the meeting whether the child shall be elected, and it having been previously ascertained that all the requirements had been fulfilled, and any question asked by the person who nominates has been answered, the election is ratified. I submit at the very first general election each governor was to have the nomination of two children.

5538. Professor DOUGHERTY.—Even so the matter stands the Presbyterians have not got a fair proportion. Is it because they have not children to take advantage of the endowment?—I think so. I have frequently heard Dr. Kirkpatrick and Dr. Hall pass in a Protestant, or take up a child that seemed very deserving though not a Presbyterian child.

5539. Have you heard of the existing trustees doing that?—They are not long members of the Board. Dr. Kirkpatrick is not dead more than three years.

5540. Lord Justice Fitzgerald.—Is there any means of ascertaining the existence of a vacancy? Do you publish the fact that there will be an election?—I am not aware that we ever publish it.

5541. Do you never have before you the names of a number of children for which there are vacancies sought?—Unfortunately, I speak from my own experience, I generally have half a dozen applications whenever it is known that my turn is coming on to nominate.

5542. You have half a dozen names present to your own mind, but have the governors, generally, ever

have an opportunity of seeing these possible candidates and comparing their claims—I should say not, because once my selection is made I only produce one or only desire that one to attend.

5543. Do you think that is an election by a majority of votes?—It is an election by a majority of votes; an election coupled with nomination, instead of having a general sort of scramble for every vacancy that takes place at the Board. It might, perhaps, be found to work, but I do not think it would be so advantageous as the present system.

5544. But the opinion of the Vice-Chancellor seems to have been different when he directed that the pupils should be selected by a majority of votes?—That is the rule.

Mr. Henderson.—It is quite competent to have them rejected.

5545. Dr. TRAILL.—Would it not be unfair to the Presbyterian Governors if an election was to go by the majority?

Lord Justice FRERGINSON.—If you assume that the governors who are members of the Church of Ireland, would vote only for Church children on such occasion.

Mr. G. W. Mansell.—I never knew a Presbyterian nomination questioned by any of the Church of Ireland Governors.

5546. Lord Justice FRERGINSON.—Nor a nomination by one of the Church of Ireland Governors questioned by the Presbyterian members.

Mr. Mansell.—I do not think so.

5547. Mr. J. J. Shaw.—I appear on behalf of the two Presbyterian Governors who are not satisfied with the constitution of the governing board. I am instructed to say, that they have no objection whatever to make to the management of the school which they consider is managed with very great care; but they consider that the will of the founder of the school, distinctly gives the Presbyterian body a position on the governing board which they have not got under the scheme of the Vice-Chancellor, and therefore that they are very hardly treated. The Presbyterian Governors, are the Rev. Dr. Hamilton Magee and the Rev. Mr. Hamilton.

5548. Lord Justice FRERGINSON.—If it be the case that they were represented in the settlement of the scheme, how is it that the scheme was not prepared so as to give them fair representation?

Mr. Shaw.—I do not know anything of the matter myself personally—but there is a record in the handwriting of Dr. Kirkpatrick, who is now dead, as to the course which was taken in the settlement of the scheme. The Vice-Chancellor was of opinion, that the words "and their successors unto the end of time," could only apply legally to the ministers of the Church of Ireland in Dublin.

5549. Lord Justice FRERGINSON.—Has not the minister of Mary's-abbey now a messenger in the same way as the minister of St. Werburgh's Church?

Mr. Shaw.—My contention is that the word applies distributively, and that the successors of the minister of Mary's-abbey were to be governors to the end of time, just as the successors of the minister of St. Peter's were to be governors to the end of time. But the Vice-Chancellor drew a broad distinction between the two classes of governors, because he made the ministers of St. Werburgh's and of St. Peter's *ex officio* governors, and he nominated as an act of grace the two Presbyterian ministers of Rutland-square Church—not as *ex officio* governors, but simply as governors nominated by himself in the exercise of his power in settling the scheme. I think that was not a fair course to the Presbyterian ministers, considering the position they have taken under the will in which they are mentioned as trustees and executors of the will, showing that the ministers of Mary's-abbey were to take a very important part in carrying out the trusts of the will.

5550. Lord Justice FRERGINSON.—There is nothing

that I can find in the scheme itself about Presbyterian governors. There is first the provision for the two *ex officio* governors, namely, the Rector of St. Peter's and the Rector of St. Werburgh's, and then that the following persons shall be the first governors of the school two of whom are gentlemen defined as Reverend, without showing whether or not they were Presbyterians, and then there are three others, laymen. Then there is the proviso, that when any vacancy shall occur by reason of the death, resignations, incapacity, or removal of any of the governors, the surviving or continuing governors, shall co-opt a person to fill the vacancy of the same religious denomination as the governor whose place is to be filled. If a clergyman becomes a Church minister from being a Presbyterian minister is it the construction that to the end of time the Presbyterian Governors shall be reduced to one. Similarly if any lay gentlemen fall out with the Church as some have done, and joined some other religious denomination, would the like result follow? He could not be removed himself, and if you had a man of uncertain denomination, you would afterwards have to find somebody to match him.

Mr. Shaw.—I do not know what would take place if a man ceased to have any religion whatever. As I understand, Dr. Kirkpatrick and Mr. McKee contended that the obvious intention of the will was that the government of the institution should be in the hands of two Presbyterian ministers, and two or three ministers of the Church of Ireland, and that there should be no nomination of lay governors whatsoever. When they were called on to give in a list of laymen whom they would ask to act as trustees they refused to do so on the ground that they objected to the Vice-Chancellor assuming a jurisdiction to appoint laymen, and he nominated the three named by the others, Mr. Pennefather, Mr. Mansell, and Mr. Gibson. There was an appeal from the Vice-Chancellor, and Lord Justice Christian and the Lord Chancellor at that time differed, and the scheme stood. I do not know anything about it personally, but I understand that Lord O'Hagan was of opinion that the scheme should be rejected.

5551. Lord Justice FRERGINSON.—If a layman was co-opted under the scheme, and he afterwards took Holy Orders, what would happen when his place came to be filled?

Mr. Shaw.—I think it should be filled up by a clergyman. A man's religious denomination would certainly be the denomination in which he would die, especially as there is nothing in the scheme determining that the man is to be of any religious denomination when appointed, except that of the man who dies.

5552. Lord Justice FRERGINSON.—You say the Presbyterians were not satisfied with the appointment of lay members at all. Is that the position taken up by the present Governors?

Mr. Shaw.—No, the present Governors are satisfied that there should be a number of laymen joined with the ministers in the administration of the trust. They think it works very well, but they are of opinion that they should have a proper representation, and they say that that representation is half of the whole number that was intended by the founder of the institution.

5553. Lord Justice FRERGINSON.—Would that have been the intention if the school had been in the parish of St. Nicholas Without?

Mr. Shaw.—No; if the school had been in the parish of St. Nicholas Without there would have been a third clergyman of the Church of Ireland, and it would be three to two. The school never was there, and therefore that proviso never came into operation, and it does not appear to have been a *vis qua non*, in his mind.

5554. Rev. Dr. MACLEOD.—When you claim half the Governors do you mean including or excluding the *ex-officio*?

Mr. Shaw.—I do not make any distinction, because

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counsel.

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our contention is, that if there are to be *ex-officio* governors at all, there should be two Presbyterian *ex-officio* governors, that is the minister or two ministers, if there be two, of Rutland-square Church, and that if there be but one minister of Rutland-square Church, then one other Presbyterian minister of the city. Mary's-abbey Meeting-house is now represented by Rutland-square Church.

5555. Dr. TRAILL.—Were there once two ministers there?

Rev. Hamilton Magee.—There were at that time. It is what is called by Presbyterians a Collegiate Church; but since then the constitution has been altered to some extent, and there is only one minister at present.

5556. Dr. TRAILL.—At what date did there cease to be two ministers?

Rev. Hamilton Magee.—On the removal of Dr. Hall to New York.

5557. Dr. TRAILL.—At the time of the Vice-Chancellor's scheme being formed, were there two?

Rev. Hamilton Magee.—There were.

5558. Lord Justice FITZGERALD.—In selecting a Presbyterian governor do the other governors vote?

Mr. G. W. Mansell.—No, they never voted; on the contrary when Rutland-square came to be represented by a single minister, the governors of the Church of Ireland were of opinion that the representatives of Rutland-square Church should find a colleague for Mr. Sinclair Hamilton, and they found him in Dr. Magee, who did not belong to that church.

5559. Lord Justice FITZGERALD.—Then the surviving Presbyterian governor nominates his own colleague.

Mr. G. W. Mansell.—That is so in that case, but it would be subject to veto.

5560. Lord Justice FITZGERALD.—As a matter of fact, is that the way in which the Presbyterians are represented now?

Rev. Hamilton Magee.—As a matter of fact, Dr. Murphy, who went to London, and who was a governor on his removal to London, nominated me; that is, he suggested my name to the governors, and they acquiesced.

5561. Lord Justice FITZGERALD.—I find a motion recorded.—“That the governors proceed to prepare a scheme to be submitted to the Educational Endowments Commission, giving an equal representation to the Presbyterians, and making the ministers of Rutland-square Church *ex-officio* governors, and if there be only one minister, such minister, and another to be selected by the Presbyterians of Dublin, *ex-officio* governors.” It being put to the meeting, the motion was declared lost.

Rev. Canon Jellott.—The governors did not object to that proposition at all. They were quite willing that the Presbyterian governors should be *ex-officio*, and in the event of one person only being in Rutland-square Church, to have another appointed. What they were not in favour of was the change of the scheme. I never heard of the Vice-Chancellor's scheme before. I only heard of it here to-day. I think it might be a

matter of argument whether Peter Bertrand belonged to our church. He, otherwise, never would have nominated two rectors of the Church of Ireland and an additional rector and their successors; it was possible that those two Presbyterian ministers mentioned were personal friends of his, and that he did not intend succession in their case.

5562. Professor DOUGHERTY.—I think the Presbyterians might argue that it was possible that the two rectors were personal friends, and that he was a Presbyterian. The appointment of the third rector was contingent on the school being erected in the parish of St. Nicholas Withtown.

Rev. Canon Jellott.—It is remarkable that he mentions the names of the Presbyterian ministers, and he does not mention the names of the rectors.

Mr. Henderson.—He says the clergymen of Mary's abbey, but he does not refer to their names.

Lord Justice FITZGERALD.—That is a question of construction.

5563. Professor DOUGHERTY.—Is it not rather significant, considering the state of facts at the time, that he gives precedence to the Presbyterian ministers?

Rev. Hamilton Magee.—He names the individuals who were evidently his own clergymen.

5564. Lord Justice FITZGERALD.—You are speaking on what occurred eighty-five years ago. I believe, historically, he was a French Protestant refugee.

Mr. Stowe.—Dr. Magee, who was one of the trustees, naturally, being put into this position of inferiority on the governing Board, feels that it is not fitting that the Board should consist of two governors of one denomination and five of the other; that there is very little chance indeed of any question of difference being arranged, and I am told that the thing went so badly that it was only—we have got it from the governors—that it was only eighteen months ago that the Presbyterian children were sent to their own church, while the children of the Church of Ireland were sent, as a matter of course, to St. George's Church, and they got what religious instruction they did from attending there. It was only eighteen months ago that Dr. Magee could secure that the Presbyterian children should be sent to the Presbyterian Church. Under these circumstances, taking the construction of the will, and altogether, the Vice-Chancellor's scheme deals very hardly indeed by the Presbyterians, and they feel that that grievance ought to be removed by this Commission, and that they should be put in a position of equality with the governors of the Church of Ireland.

Rev. Canon Jellott.—He states that it is only eighteen months ago that the Presbyterian children were allowed to attend the Presbyterian Church. I believe permission was accorded at once.

Mr. Henderson, &c.—It was accorded at once, as a matter of course.

Rev. Canon Jellott.—And the reason it was not accorded before was that permission was never asked before.

Rev. Hamilton Magee sworn and examined.

5565. Lord Justice FITZGERALD.—How long have you been acting as a governor of Bertrand's Orphanage?—Since the removal of Rev. Dr. Kirkpatrick; that was three or four years ago.

5566. Who was your predecessor?—The Rev. Dr. Kirkpatrick.

5567. Dr. TRAILL.—Did the Rev. Mr. Murphy succeed the Rev. David McKee?—Yes, I am not sure whether I was appointed in Dr. Kirkpatrick's place or in Mr. Murphy's. I think I am in Dr. Kirkpatrick's place.

5568. Professor DOUGHERTY.—When did Dr. Kirk-

patrick die?—The 11th February, 1884. There is a letter by Dr. Murphy resigning his position as governor of the school, in consequence of his removal to London, and that resignation was accepted with regret.

5569. On the 14th April, 1884, the question of the contribution to the stipend fund of St. George's parish was considered, and it was proposed by the Rev. Canon Jellott, and seconded by Mr. Adcock Henderson, and resolved—“That believing that attendance at divine worship is an important element in education, the Board of Governors grants an annual

Rev. Hamilton
Magee

contribution of £5 towards the stipend fund of St. George's Church, the place of worship attended by the pupils of Bedford's School, the payment to be made to the treasurer for the time being of St. George's parish." Up to that time did the children attend that place of worship, and that only?—Yes.

5570. Yes, as a governor, appear to have been present at a number of those meetings of the Board. Can you remember the question of the attendance at church of the Presbyterian children being brought forward at all?—I gave notice of a motion that the orphan child MacAlister should be permitted to attend at the Rutland-square Church. Notice of motion was put on the notice paper for several succeeding Boards, but there was not a quorum; and on the last occasion, on which conditional permission was granted to permit the child to go to the Rutland-square Church, the usual accounts came forward for signature, and as the matter was brought forward on three occasions before, and there never was a quorum present, I, as a governor, declined to sign the cheques for the carrying on of the school, until that matter was taken up.

5571. When was that?—I could not give the date.

5572. I see by a minute of 8th June, 1885, the order was read, and the recommendation granted?—That is the only complaint I make, that although it was on the notice paper, sent to all the governors, when that motion was brought forward in the interests of the institution, a quorum of the governors could not be secured for several meetings, until I declined to take part in signing the cheques before that business was done. It was then conditionally agreed upon. I think the only governor present was Mr. Henderson, and on being brought forward before the next full meeting of the governors it was ordered.

5573. Lord Justice FRIZGIBSON.—Although your accounts are dated 14th April, 1884, the sanction of the Commissioners was not obtained until 14th May, 1885?

Mr. Thomas GIBB.—That was in the year when the accounts came before them.

5574. Dr. TRAILL.—The accounts for 1884 did not come before the Commissioners until 1885?

Mr. GIBB.—No.

5575. Lord Justice FRIZGIBSON.—I see you also applied to the Commissioners of Charitable Donations and Bequests, to assist you in preparing a scheme in reference to the apprentice fund, and nothing has been done. On the 9th July, 1885, there was a letter read from the Commissioners of Charitable Donations and Bequests, referring to the fund for apprentice fees. That is in answer to your application that you should not be tied down to investing £50, and that you should be allowed to spend whatever sum you considered reasonable. Do you think it still reasonable that you should have that power?

Mr. GIBB.—I think so, so far as the apprentice fund is concerned. I think it is larger than what is now required. It is £50 in addition to the dividends arising on the produce of the year; that is between £50 and £70.

Mr. Henderson.—That has arisen very much from the rule laid down by the scheme, that a sum should be invested.

5576. Professor DOUGHERTY.—I understand that although you have in hand the interest on your investments, and have £50 a year from the income of the estate to apply to this purpose you sell out stock standing in the names of the governors, year by year, when you require apprentice fees?

Mr. G. W. MANNING.—Yes; it is a clumsy method, and I have objected several times to it. We considered that we were bound by the scheme. About the end of the year I received an account from Mr. GIBB of investments in the apprentice fund which has reached £440. When a fee is required, I have to go to a stockbroker to sell out what would produce £25. I have suggested that we should have a debit and

credit account as regards that fund and draw the balance, but it seems we are tied by the scheme.

5577. What part of the scheme requires you to draw the interest?

Mr. GIBB.—The total sum of £50, together with the interest of the previous year, are the amounts invested. The apprentice fees from year to year are generally left for selling out of stock, till the last quarter of the year.

5578. Lord Justice FRIZGIBSON.—What is your view, Dr. Magee, of the system of electing children?—So far as I have seen it, it acts remarkably well. All the governors carefully look into the case, and we have no difficulty in getting a number of Presbyterian children, far more than we require.

5579. How does it happen that the proportion of Presbyterian children is not more?—It was, perhaps, the fault of the previous Presbyterian governors, in not insisting on claims that I think the other governors would have conceded. I think the matter was not pressed on the governors as it might have been, and as I think it my duty to do.

Mr. Henderson.—If the Presbyterian Governors had nominated Presbyterian children, there would be a larger number of Presbyterian children in the school now, so far as the rules are concerned.

5580. How many Presbyterian governors are there for the school at present?—There are two.

5581. And how many members altogether constitute the Board?—Seven altogether.

5582. By the natural working of the present system they would be in the proportion of two to five. Does that appear to you to be a satisfactory arrangement?—It does not. I think we are entitled under the intention of the will to half the advantages of the institution, and half the representation.

5583. Dr. TRAILL.—But you have not your full number of pupils at present in the school?—We have not.

5584. That must have come from carelessness on the part of the Presbyterian governors?—I can understand no other reason. It seems to me strange that although a notification was sent to the governors, not merely inserted in the minute book, but sent by Dr. GIBB to each governor, for several meetings, that we could not get a quorum to attend. That indicated some slight reluctance, at least, in that direction, and perhaps that interfered with the action of the former Presbyterian governors. We are not willing parties to anything of that kind.

Rev. Canon JELLET.—It might have been perfectly accidental that a quorum did not attend. It might have been in the summer time.

Lord Justice FRIZGIBSON.—It appears by the minutes of the 10th September, 1883, that the Rev. Dr. Murphy gave notice that at the next meeting he would move that the child MacAlister, now admitted, be allowed to attend with the mother, and other members of her family, at the Presbyterian Church. Then on the 8th October, 1883, there was no quorum.

5585. Professor DOUGHERTY.—That is your motion?—Yes.

5586. Lord Justice FRIZGIBSON.—On the 10th November, 1883, read a letter from Dr. Murphy, having reference to the motion of which he had given notice, and also in reference to his proposed resignation. It was decided that the question be postponed until the Rev. Dr. Magee be present?

Mr. Henderson.—The purport of that letter was a request by Dr. Murphy that the matter be postponed.

5587. Lord Justice FRIZGIBSON.—Mr. Magee was present on the 10th December, 1883, and there was no quorum. The matter being urgent the governors present approved of the suggestion. On the 14th January, 1884, there was a quorum, and you were present, and the letter having been read from Dr. Murphy asking that leave be given to H. S. MacAlister to attend the Presbyterian Church with her friends,

April 22, 1885.

Rev. Hamilton Magee.

April 18, 1884.

Rev. Hamilton
Mages.

It was resolved that leave be given Mary McAlister to have the child called for and brought back to the school at the hour arranged with the matron.

Mr. George Woods Mansuett.—I was rather astonished to hear Mr. Magee's observations. The moment the request was made there was never the slightest idea of objecting on the part of any governor.

5588. Lord Justice Fitzgerald.—Is there any visit paid by a Presbyterian minister to look after the children?

Rev. Hamilton Mages.—We recently got a lady appointed to look after the children, but she is, unfortunately, unwell.

5589. Lord Justice Fitzgerald.—The clergy do not visit; why don't some of you visit?

Rev. Hamilton Mages.—The clergy did not know of the minute of the board.

Mr. Thomas Dick.—I was under the impression that they attended under a minute of the board.

5590. Dr. Traill.—Does not it seem to be more in the power of the Presbyterian minister, seeing he is himself on the board.

Rev. Hamilton Mages.—I have frequently called at the school.

5591. Professor DOWDNEY.—Considering that you had to ask permission for a Presbyterian child to go to the Presbyterian church, it would be reasonable to infer that permission would be required also for a Presbyterian minister to visit the school.

Rev. Hamilton Mages.—I felt so.

Rev. Canon Jellett.—That inference cannot be drawn. It involves the care of the child during the time she is being sent to the Presbyterian church. The other children, who go to the parish church, are under the care of the matron.

5592. Professor DOWDNEY.—Would you not meet the whole difficulty by appointing a Presbyterian mistress; if the assistant mistresses were a Presbyterian she could go with the Presbyterian children.

Rev. Canon Jellett.—At first sight it looks as if the Presbyterian governors had not a fair share of the nominations. If they were entitled to one-half, that would be a fair solution of the difficulty; but we must bear in mind the proportions as regards numbers, and, looking at the Census Return, there are 5,036 Church school children as against 894 Presbyterian children in Dublin.

5593. Professor DOWDNEY.—Then, in dealing with educational endowments, do you favour the adoption of the principle of counting heads?

Rev. Canon Jellett.—I would like to keep my argument to the case in hand.

5594. Do you not think we should also have some regard to the intention of the founder—we are bound to have regard to the intention of the founder by our Act?

Rev. Canon Jellett.—I do think so.

Rev. Hamilton Mages.—Can Canon Jellett point to anything restricting the application of the charity to the city of Dublin. If he cannot, his argument, with all respect, has no bearing on the case.

Mr. James J. Shaw.—There is nothing to prevent a Presbyterian governor nominating a child from Ulster.

Rev. Hamilton Mages.—The Presbyterian Church as such is almost numerically equal to his own in this country.

5595. Rev. Dr. MOLLOY.—If a system of election were carried out would it not be open to the whole body to take into consideration the claims of the candidates?

Rev. Canon Jellett.—I agree with Dr. Magee, that in practice the nomination system is the better.

5596. Dr. Traill.—You think the individual governor takes greater care in making a selection than a large number of governors would do?

Rev. Canon Jellett.—I do. The difficulty of sharing the responsibility with several other people is not great.

Rev. Hamilton Mages.—There is no difference of sentiment amongst us on that subject.

5597. Dr. Traill.—Are you strongly in favour of this mixed boarding school?

Rev. Canon Jellett.—I do not see any objection to the boarding school, the difference has been so exceedingly small.

Rev. Hamilton Mages.—The difference has been small.

5598. Rev. Dr. MOLLOY.—You are in favour of the present system of nomination?

Rev. Hamilton Mages.—Yes.

5599. Rev. Dr. MOLLOY.—And you are also in favour of having an equal representation of Presbyterians and Episcopalians on the board of governors?

Rev. Hamilton Mages.—Yes.

5600. Rev. Dr. MOLLOY.—That system would be likely in practice to lead to this; that there would be an equal number of Presbyterian and Episcopalian children nominated?

Rev. Hamilton Mages.—Ultimately.

5601. Rev. Dr. MOLLOY.—Do you think that would be reasonable, taking into account the relative population of the two communities in this city?

Rev. Hamilton Mages.—If the will restricted the charity to this city it would not, but the will does not restrict the application of the charity, and we have Presbyterian children as numerous in Ulster.

5602. Then you would apply a charity link by a Dublin gentleman, to the Presbyterian children all over Ireland. I am not making an objection, but I want to know your views.

Rev. Hamilton Mages.—As a matter of fact, but the Episcopalian and the Presbyterian governors appoint the most eligible, irrespective of the place from which the orphan comes.

Rev. Canon Jellett.—The testator did not appoint gentlemen to be co-opted from every district, but from a particular district. The Rectors of St. Peter, St. Werburgh's, and St. Nicholas (Without).

5603. Lord Justice Fitzgerald.—Of your twenty-two children, how many are Dublin children, including Dublin city and county?

Rev. Canon Jellett.—Speaking roughly, more than two-thirds.

Mr. George Woods Mansuett.—I should say rather more than that.

Rev. Canon Jellett.—There are children appointed who were born in remote provinces, but when elected their mothers had been residing in Dublin.

5604. Professor DOWDNEY.—Is it not a remarkable fact that Peter Bertrand did not appoint the minister of his parish church as one of his trustees, except on a contingency never fulfilled? One would have thought, if a churchman, he would have appointed the minister of his own parish church.

Rev. Canon Jellett.—Because he did not like him.

5605. Rev. Dr. MOLLOY.—What do you think, Mr. Mansuett, of the suggestion that the Presbyterian body should have an equal representation?

Mr. George Woods Mansuett.—I think, looking at the division of creeds in the city of Dublin, it would not be an equitable arrangement.

5606. Rev. Dr. MOLLOY.—Do you think the present system equitable?

Mr. George Woods Mansuett.—I see nothing to complain of.

5607. Lord Justice Fitzgerald.—You have three laymen governors, and can you give us any reason why one of them is not a Presbyterian?

Mr. George Woods Mansuett.—You should ask the Vice-Chancellor that.

5608. Lord Justice Fitzgerald.—The explanation has been given that, desiring to appeal, the two clergymen who then held the post of governors refused to nominate anybody, and then the three nominated by the other denomination were appointed by the court. It would occur to me that if the trustees did not choose to acknowledge the jurisdiction by nominating somebody, it was the duty of the court to have appointed such persons as they ought to have nominated.

Mr. James J. Shaw.—They could not have gone to the Appeal Court if they had concurred in nominating.

Rev. Hamilton Mays.—Dr. Kirkpatrick's memorandum states that the Vice-Chancellor, if I remember rightly, intended no change of the clerical representatives indicated in the will, but to appoint three lay trustees. The Presbyterians believing that that would give a preponderance to one party, and not their party, declined to appoint.

5609. Rev. Dr. Molloy.—What is the proportion of the Presbyterians and the Episcopalians in the original will?

Rev. Hamilton Mays.—Equal except in a certain contingency.

5610. Rev. Dr. Molloy.—Do you think, Mr. Mansell, that there has been a change in the proportion of the Presbyterians and Episcopalians in Dublin since the will was made?

Mr. George Woods Mansell.—I could not answer that question.

5611. Rev. Dr. Molloy.—You think there should not be an equal number of Episcopalians and Presbyterians now on account of their relative proportions in the population?

Mr. George Woods Mansell.—Yes.

5612. Rev. Dr. Molloy.—But is not the proportion about the same now as when the testator made his will?

Mr. George Woods Mansell.—I cannot answer that.

5613. Rev. Dr. Molloy.—Would you be satisfied with the proportion of three to two which appears to have been his idea?

Lord Justice FRANKLIN.—There is a full account of the proceeding in Chancery given in the memorandum, written by Dr. Kirkpatrick. When the case came before the Vice-Chancellor, he announced that in his opinion it was desirable the court should appoint some laymen to be governors in addition to the four

clergymen nominated in the will. The Presbyterians questioned his power to go outside the will, except with the concurrence of both parties, and the Vice-Chancellor announced that he would appoint three laymen, thus insuring a preponderance on one side or the other. Therefore what he manifestly intended to do was to get six names, but to choose three—and of the three chosen, two at least should be of one denomination. When the case was again before the Vice-Chancellor he appointed the Ministers of Rutland-square Church governors, and counsel for the Presbyterians stated that inasmuch as they objected to the appointment of additional governors, and believing that having regard to the express words of the will, the act of the court in making the appointment was *ultra vires*, they declined to nominate any persons, until the question was decided. Thereupon the Vice-Chancellor appointed three gentlemen, named by the Ecclesiastical Ministers, all of whom were members of the Episcopal Church, so that instead of appointing some only of the three, he appointed the whole on their list. This decision appearing so disadvantageous to the Presbyterian portion of the board, it was believed the court would reverse it, accordingly a petition praying that the decision might be reversed was presented. On appeal the Lord Chancellor said that he would be disposed to modify the decree, but as Lord Justice Christian was of a different opinion, he thought it best to agree with him. We must now look into the matter, and bear in mind, that upon that occasion the Presbyterians lost all representation, because they would not nominate anybody. We have heard you all, and the views of the various parties, and we will consider whether it is necessary to prepare a draft scheme modifying this one or not. Any document we may prepare under the statute will be a mere draft scheme. The parties will get notice of it immediately it is ready, and they can examine it, and come forward with any objections in writing, and these objections will be considered by the Judicial Commissioners.

April 12, 1886.

Rev. Hamilton Mays.

MERCHANT TAILORS' SCHOOL.

Mr. Richard Mansfield, sworn. (Hands in Chancery scheme relating to the school.)

Merchant Tailors' School.

5614. Lord Justice FRANKLIN.—Are you one of the trustees of the Merchant Tailors' School?—I am.

5615. Where is the school at present carried on?—In the Merchants' Hall, opposite to the Metal Bridge in this city.

5616. What income have you?—The net income is £227.

5617. I believe your property consists of lands?—Some lands called Backin at Cooleck.

5618. And I think you have some property in Wicklow?—Yes; a small property.

5619. And in Church-street?—Yes; and the rest is in Back-lane, Bow-street, and High-street.

5620. You also have some bank stock?—Yes, £140.

5621. And your annual income amounts to about £227 a year net, or £270 gross. I see you were obliged to go into Chancery in 1878 to have trustees appointed?—Not for the purpose of having trustees appointed, but in reference to some property of the Merchants' Charitable Society.

5622. What became of the Merchants' Charitable Society's property?—By the order of the Vice-Chancellor the money was given to the Old Man's Asylum, and the building, the Merchants' Hall, was given to us.

5623. Then you did not succeed in getting the whole of the property of the Merchants' Charitable Society for the Merchant Tailors' School?—No, which we considered very unjust, because all the property was

left for freemen charities, and we did not think it should be alienated from that purpose.

5624. Have you got any copy of the order made?—We never got it.

5625. What is the present constitution of your trustees?—The same as the original; there has been no change in the original constitution of the trustees. There were thirteen trustees appointed at the time of the passing of the Municipal Corporations Act.

5626. Then the only change that was made by reason of the Chancery proceedings, which took place since the former Commission, was to give you the Merchant Tailors' Hall?—Yes, and in consequence of that we added ten to the number of boys educated.

5627. What number have you now?—Fifty.

5628. Are those boys free scholars?—They are, according to the trust.

5629. Are they day boys only?—Only day boys.

5630. How are they admitted to the school?—The sons of the original members of the guild or their descendants have the first claim; after those the sons of freemen of the city, and, when they are provided for, any members of the Churches of Scotland and England as then established.

5631. How do you make selection of those who present themselves for admission?—We never have any reason to reject any, because the applications we get are according to our forms:—Name, residence, age,

Mr. Richard Mansfield.

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Macaulay.

parentage, religious profession, statement of the candidate's qualifications, whether descended from the members of the guild, or whether he has any qualification entitling him to the freedom of the city, his proficiency and state of health. The candidates are examined by the master to see if they are fit to enter a class. We do not admit infant children.

5632. What is the age of admission?—It is generally from about eight or ten.

5633. What staff of teachers have you?—A head master, Mr. Brooks; he is a Master of Arts and late Fellowship Candidate of Trinity College, Dublin. We have also an assistant master and a drawing master.

5634. Dr. TRAILL.—Mr. Brooks is the head master?—Yes.

5635. Lord Justice FRYGEMAN.—Really our anxiety about this school was to see whether we could assist you with reference to the property which is all very scattered, even in Dublin. Is it all held by the trustees?—Yes.

5636. How is it let?—On leases for ever. Some of these leases we had nothing to do with at all. The leases were handed over to us.

5637. Are they all head rents?—Yes.

5638. The Wicklow property produces £4 13s. 3d. a year?—Yes.

5639. And you get £100 a year from the Church-street premises?—Yes.

5640. Then there is £85 from two houses in High-street?—Yes. These houses were bought expecting to make an entrance into Back-lane, when we found the locality coming down and that it was not a nice locality to bring children to, instead of opening the place, we let the house to Mr. Demassey. We pay £30 to Mr. D., and we get £85 for it.

5641. Have you got the accounts?—Yes, ending June, 1885.

5642. Lord Justice FRYGEMAN.—The only instruments you have are the original deed dated of 1841, and the conveyance of the premises 1835, the Bill in Chancery and the first order the Vice-Chancellor made on it. Have you got any copy of the final order?—Messrs. Butler and Orr were the solicitors for the charitable trusts and also our solicitors, and they might have handed it to the governing body of the Old Men's Asylum in making over the property to them.

5643. But they made over the house to you?—The building merely; the property from which the income was derived was handed over to the asylum.

5644. Surely they must have a copy?—They may have.

5645. Did you apply to them?—No.

5646. To what denominations do the boys belong? There are nine Presbyterians and the rest are members of the Church of Ireland.

5647. Professor DOUGHERTY.—This is a day school?—Yes.

5648. You do not carry out the provision for partial maintenance?—No. We did at first, but we found the class of children whom we got did not require it.

5649. Dr. TRAILL.—Of what class in life are they?—They are the sons of people in business, such as clerks, and of a number of persons to whom a good education is a great matter.

5650. Is the education primary or intermediate?—Intermediate; in fact we have fitted pupils for all the professions. We have an exhibitioner under the Intermediate Education Board. There are eleven going up for the Intermediate examinations this year and there are a number of our pupils who have passed through the university.

5651. Professor DOUGHERTY.—What college do they enter from the school?—Some enter the Royal University, some take up the medical profession, some the ministry. There is one a leading Minister of the Presbyterian Church in the North of Ireland, and there are others who are Ministers of the Church of Ireland.

5652. Is there a commercial education given in the school?—Both commercial and classical. A good mercantile or classical education may be had. They learn Latin and French. Last year one of the pupils took a silver medal in the modernism in Trinity College. He was a scholar.

5653. How many trustees are there?—There are thirteen; three Presbyterians and ten Episcopalian.

5654. Is there any limitation in the deed as to the numbers?—No.

5655. How are vacancies filled up?—The descendants of the original trustees have a right. My father was an original trustee. Mr. Brien was an original trustee and is still alive.

5656. Of what denomination were the original trustees?—There were twelve members of the Church of Ireland and one a Presbyterian.

5657. Lord Justice FRYGEMAN.—You are a Presbyterian yourself?—I am.

5658. Have you any arrangements for religious instruction?—Nothing denominational.

5659. Dr. TRAILL.—The Scripture is read every day?—Yes.

5660. Lord Justice FRYGEMAN.—Incorporating your trustees to prevent the necessity for further applications to the Court to appoint new trustees would be pretty well all that could be done at present to improve your position?—I do not see anything that can be done except to give us more means to improve what we are doing.

5661. Rev. Dr. MOLLOY.—Are the Presbyterians satisfied with the proportion they have on the Board?—We have never had any reason to complain. There has never been any question. In reference to the appointment of trustees there is in that trust deed mention made of the memorial that is to be made out whenever new trustees are appointed.

5662. Lord Justice FRYGEMAN.—It is one of the objects of the Commission to remove such difficulties. It would be well to take advantage of what the law gives you?

Rev. Canon LEPPER.—I am a trustee and we find the appointment of a new trustee a very expensive process. To obviate that would be an advantage, otherwise nothing would occur to us to improve the position of the school.

5663. Lord Justice FRYGEMAN.—Can you give us a list of the existing trustees?—Yes.

Rev. Canon LEPPER.—There are still alive two original trustees, Mr. Brien is one, and I am the other.

Methodist
Female Orphan
School.Mr. Theodore
Cronheim.

THE METHODIST FEMALE ORPHAN SCHOOL, HARRINGTON-STREET.

5664. Mr. Theodore Cronheim.—I appear on behalf of the Methodist Female Orphan School, Harrington-street. The school was founded in the year 1805, by the will of the late Mr. Solomon Walker, who bequeathed the sum of £150 for furniture, &c. for a female charity school, in or near the Preaching House, Whitfield-street, to be called the Methodist Female Orphan School, and to consist of ten female children. He also left £2,000 Government 5 per cent. stock,

the interest of which was bequeathed by testator for ever, to support and maintain the school, and the will directed that the children should attend divine service in the Preaching House, and also attend noon day service in the parish church of the Established Church of Ireland. Twelve governors were appointed who should appoint a treasurer from amongst themselves annually, and the Board were to make rules and by-laws, fill up vacancies, and appoint seven lay-

governors. The rules to be observed were as follows:—First, the objects of the charity to be female orphan children, not under seven or over ten years of age; second, to be considered orphans if either of the parents be dead; third, the number to be ten, or as many as the £100 a year will support and educate; fourth, they are to be brought every Sabbath day to attend Sunday service in the parish church, and to be brought up in the faith and worship of the Established Church of Ireland. Any further rules which were necessary were to be made by the governors. There was also an endowment termed Barrett's Endowment. A sum of £500 was allocated under a decree of the Court of Chancery, for the Female Orphan Schools then in Whitefriar-street, and now in Harrington-street, the trust being declared by deed (dated 28th April, 1829), that it was for the use and benefit of the asylum, and to be applied from time to time, according to the order of the governors. In event of death, or should they be desirous to be discharged, or go beyond the seas, or should refuse, neglect, or become incapable to act, then the Master of the Court would appoint new trustees. The original trustees of Barrett's Endowment, appointed by deed of 1816, were John David Le Touche, Jacob Geoghegan, and Thomas Booth. New trustees were appointed from time to time, and the last appointment of new trustees was by deed dated 26th February, 1867, when George Sykes and James Booth were appointed in place of Thomas Booth and Arthur Jones, deceased, to act with John Cusley Bonnell, surviving trustee, who has since died. The only way of appointing trustees is by coming to the Court of Chancery, and that was last done in the year 1867.

The funded property of the institution now consists of £2,389 18s. 1d. invested in India four per cent. stock in the names of James Hutchinson Swanton, John Lambert Jones, and James Booth. This represents the original endowments and sundry small sums received from other sources. Barrett's endowment of £497 9s. 4d. stock is also invested in the same security. This stands in the names of the trustees appointed in 1867. The income derived from both these investments is £111 10s. 2d., and that is largely supplemented by voluntary contributions amounting to about £188 a year. This amount is derived from sermons and donations, and of course varies. The number of orphans at present in the institution is seventeen. These seventeen children are clothed and maintained in the institution, and educated in the National Schools, Kildare-place. The former premises went out of lease some years ago and new ground was taken in Harrington-street under fee-farm grant. The ground rent is £7 4s. a year, and the building which was erected in 1852 was built by subscriptions, chiefly from Methodists, and collections made in Methodist churches in Dublin. In 1867 a change was made by the Governors in the regulations of the school under those circumstances. By the terms of Solomon Walker's will the children were to attend Sunday divine service in the Whitefriar-street Preaching House for Methodists, and that the school should be in the neighbourhood of this building. Now in the year 1816 the relations of the Methodist Body with the Established Church underwent a change although the doctrine remained unaltered. For many years after this change however, they continued to send children to the parish church, and in the evening to Stephen's-green Church, but in course of time this was found to be very inconvenient. The income derived from the endowments was insufficient to support even the ten children originally acted, still less to support the increasing numbers; £200 a year almost was derived from sermons in Methodist churches, and there was a necessity for securing the continued support of the congregations who contributed so largely to the income. Moreover there was a great loss of time from the divided attendance, and it was decided under all these circumstances

that the children should be brought to the Stephen's-green church for Sunday service instead of to the Established Church. Since 1867 therefore they had attended on the Lord's Day both morning and evening service in the Methodist Church. In the year 1871, the Commissioners of Charities addressed a letter to the governors requesting to know how the change in the attendance at the parish church was made, and in reply an answer was sent explaining at considerable length the reasons I have just given. This appeared to satisfy the Commissioners for they took no action on the matter. Now we wish that those arrangements should be formally sanctioned, as being really in accordance with the wishes of the testator. He clearly wished the fund should be for the benefit of Methodists; he directed the school should be in connection with the Preaching House in Whitefriar-street, and having regard to this and the changes which have since taken place, and moreover the large portion of the income which is derived from donations from Methodists, I ask you to ratify the changes which have taken place in the regulations of this school. It should be borne in mind also that the present institution was built by money collected from Methodist congregations and subscribed by members of that religion.

5663. Lord Justice FRYGIE.—I am in the report of 1837, that there was a sum left to you by Alderman Warren. His wife had a life interest in the money. Did you ever get it?

5664. Mr. Crockett.—Yes; it was received in 1866, from the executors of Alderman Warren's will, and was invested in 3 per cent. stock.

5667. Dr. TRAILL.—Was Mr. Walker a Primitive Methodist?

Mr. Crockett.—He died before the division arose.

5668. Professor DOUGHERTY.—What is the date of the alteration in the relations between the Methodist Body and the Established Church?—1816.

5669. Dr. TRAILL.—And the will is dated 1803?—Yes.

5670. Rev. Dr. MORAY.—What sum was expended in building the school in Harrington-street?—£700 or thereabouts.

5671. Was this £700 mainly made up of contributions from Methodists?—Yes, almost entirely.

Mr. James Booth (Secretary).—There were a couple of large donations, and the rest was collected.

5672. Mr. William BROOKS.—I wish to say one or two words on this matter, on behalf of the Protestant Church. I think there will be some little difficulty in coming to a decision upon this question with regard to the endowments. Now, no doubt a good deal of the endowment does belong strictly to the Methodist denomination. I take it for granted that the premises were built with money clearly belonging to the Methodist connection. But it is questionable whether the money left by will was really in the same way. I certainly think that the will of the original founder has not been strictly carried out. No doubt the testator, Solomon Walker, directed that the children attending the school should attend Divine service in the Whitefriar-street Methodist Preaching House. He makes that direction almost at the head of the will, and he then goes on to bequeath £2,000 Government Stock to the institution. The will then goes on to appoint governors of the school, and continues to say:—

*And I desire that the said governors do appoint seven gentlemen to be governors of said school, and I desire that the following general rules for the said school, and subject the following general rules for the said school, to be adhered to, and strictly observed. The objects for this charity must be female orphan children not under the age of seven years, nor above the age of ten years. They are to be considered orphans if either father or mother be dead. The number of children to be ten, if the £100 a year be sufficient to support them; if not, and there can be no other way devised, in that case the school is to consist of as many as the £100 a year will support in diet, lodging, clothing and education, and every other

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Mr. Thomas
Crockett.

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Mr. WILLIAM
DOUGHERTY.

seamly. They are to be brought every Sabbath Day to attend Sunday service at the parish church wherein they reside. They are to be brought up and educated in the form and worship of the Established Church of Ireland."

Now, that is what the will says, but yet we have in 1867 the organs of this institution coming to attend the parish church, and from that time forward up to the present they have been attending the Methodist place of worship in Stephen's-green. Now, are the children being brought up now in the form and worship of the Established Church of Ireland? The will says they should be, but I apprehend they are not so brought up. It may be said that the fund supporting the school is of a composite character, but as the school is now being carried on is not in accordance with the intentions of the original founder, whose money, to the amount of £100 a year, goes to keep it up.

5678. Professor DOUGHERTY.—In the time of the testator the Methodists attended the parish church services?

Mr. Bosc.—Yes, they did not administer the sacraments until 1816.

Mr. Brooke.—The will was made in 1803, and it was not until 1816 the Methodist connexion was established—when the Lord's Supper was given. I admit there was an inconsistency in the will. There were then services in Whitefriar-street Meeting House.

Dr. TRAILL.—But not on Sunday.

5679. Lord Justice FITZGERALD.—The will says the school is to be in or near the Preaching House, Whitefriar-street, and is for ten female orphan children. They were to attend Divine service in the preaching house, except on the Sabbath Day, when they were to attend the necessary service of the parish church, as every good Methodist of that time did. Now, since the date of that will a change has taken place in the relations between the Methodist body and the Established Church. Now the question is what is the proper mode of carrying out the intentions of the testator.

Mr. Brooke.—Of the seventeen children in the institution sixteen, I believe, attend the schools in Kildare-place. They receive an excellent education in these schools at a very moderate rate. The terms are indeed very reasonable. I have made inquiry as to what rule is observed with regard to religious instruction and these children, and find that when the teaching is distinct teaching of the Established Church they are withdrawn. That is in accordance with the rule that the permission of parents or guardians must be obtained before such instruction is given. That rule is always strictly adhered to. So the teaching of the children of this institution since 1867 was entirely Methodist. They do not receive any other instruction—that is religious instruction; nor do they attend the parish church.

5678. Rev. Dr. MOLLOY.—But surely you do not propose that they should be educated partly in the doctrines of the Methodist Church and partly in the doctrines of the Established Church?

Mr. Brooke.—I do not propose anything of the sort. I merely wanted to show that the desire of the founder that the children should be brought up in the form and worship of the Established Church of Ireland was not being carried out.

Rev. Canon JELLET.—We contend that the will of the original founder is not being carried out in its strict terms. The majority of the children are Church children.

5676. Rev. Dr. MOLLOY.—Is that so? What are the numbers?

Mr. Bosc.—There is no question about that. The rule simply says children of Protestant parents are alone eligible for admission.

5677. Lord Justice FITZGERALD.—What would apparently satisfy you all would be something to this effect. The institution to be left entirely under Methodist management. They gave a very substantial

sum for the buildings, and meddling with the management would, perhaps, have the effect of cutting away a large portion of the income. But while the management should remain as it is, the Church children should be protected by a conscience clause.

Mr. Bosc.—Surviving parents and friends of the children inform us of their desire that they should attend the Stephen's-green Church.

5678. Dr. TRAILL.—Do Church of Ireland children attend the morning service in the Wesleyan Church?

Mr. Bosc.—Yes.

Mr. Brooke.—This is the converse of the case about the Presbyterian children, in Bertrand's school.

Professor DOUGHERTY.—There is this important difference between the cases—that in the former the Presbyterians had from the first a recognised place on the governing body.

Mr. Brooke.—It should be borne in mind in this case that the majority of the children are Church children.

5679. Dr. TRAILL.—How many of the seventeen children are Church of Ireland children?

Mr. Bosc.—Scarcely two-thirds.

Dr. TRAILL.—It is a curious thing—you wish to put two-thirds along with one-third of a different Church.

5680. Lord Justice FITZGERALD.—Here is what the report says—

"It is the earnest wish of the governors and committee to increase the usefulness and efficiency of the school and they accordingly claim the sympathy and support of all who recognise the maintenance of the orphan as one of the highest duties and greatest privileges in the family of the Church. There is no sectarian object in view. The children of Protestant parents of any denomination are eligible for admission, and the aim is to fit them for usefulness in life and bring them up in the nurture and admonition of the Lord."

Do the governors co-opt each other?

Mr. Bosc.—Yes.

5681. And are the trustees members of the Methodist congregation?—One only—Mr. Sykes—is a member of the Church of Ireland.

Dr. TRAILL.—Is that accidental?—Yes.

5682. How many of the original trustees were Churchmen?

Lord Justice FITZGERALD.—They were all Churchmen, because then the division had not occurred.

Mr. Brooke.—No doubt the institution is doing good work, but Church children who enter it are brought up in the Methodist faith.

5683. Professor DOUGHERTY.—Yes, but they enter it at their own choice and get the benefit of substantial Methodist endowments.

Mr. Brooke.—Well, as to the children of our Church who go to the Kildare-place Training School, I certainly think they should be allowed to receive religious instruction there in their faith.

Lord Justice FITZGERALD.—There should be no objection to such a conscience clause as would provide that the children in the institution should be brought up according to their various religious denominations, as far as consistent with the management of the schools, which should not be interfered with.

Rev. Canon JELLET.—Would they object to send them to the parish church? Complaints have been received about this.

5684. Professor DOUGHERTY.—A large amount of the income is dependent upon voluntary contributions from Methodists?

Mr. Bosc.—Yes, two-thirds of it.

5685. Would it seriously affect these contributions if the children were withdrawn from the Stephen's-green Church?—Yes, certainly; it would injure the sympathy which exists between our congregation and the children.

5686. Dr. TRAILL.—Could the church children be sent to the necessary service in the parish church?—It would be impossible to do it on this ground. It

would be impossible to send out the children across the town except under the charge of a matron or a responsible officer, and we have neither available for the purpose. Our funds will not permit of our employing one.

4687. Does not some one go with the children now?—Yes, but under the proposed alteration another would be needed.

4688. Rev. Canon Jellett.—Might it not be provided that the governors, when vacancies arise, should put some gentlemen on the board to represent the Church of Ireland on the board?

Mr. Booth.—The Church of Ireland is represented by Mr. Sykes.

4689. Lord Justice Fitzgerald.—As I understand, they do not exclude any Protestant?

Mr. Brooke.—One representative for two-thirds of the children is scarcely enough.

Rev. Canon Jellett.—And admittedly that one representative got on by accident. There should be

a fair representation of churchmen on the Board, and the church children should be brought up in the religion of the Established Church.

4690. Dr. Traill.—Do you think it would be in accordance with the will of Solomon Walker that the fund should be administered by Primitive Methodists? Mr. Booth.—I never thought of that.

4691. Do you, on reading Solomon Walker's will, consider it would be more in accordance with his wishes that the fund should be administered by Primitive Methodists instead of by Wesleyan Methodists?—They have ceased to exist in Dublin.

Mr. Roger Horner.—If Mr. Walker lived in 1816 he would not have attended the parish church himself.

4692. Dr. Traill.—Of the £650 used in building, Abnerman Alderman subscribed £100. Was not he a churchman?—Yes.

Mr. Horner.—There was £500 more laid out on the premises.

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Mr. William Brooke

FEMALE ORPHAN HOUSE, NORTH CIRCULAR-ROAD.

Rev. John Digby Cooke, M.A., sworn and examined.

Female Orphan House, North Circular-road.

Rev. John Digby Cooke, M.A.

4693. Lord Justice Fitzgerald.—You are chaplain of the Female Orphan House?—I have been chaplain for nearly twenty-one years.

4694. Have you got any charter?—We have an Act of Incorporation.

4695. I see you are incorporated under a statute of 1800?—That is the Act we have.

4696. It seems that in reference to the institution formerly in Princes-street, now on the Circular-road, it is expedient it should be incorporated, and certain names are incorporated to carry out the benevolent intentions of the founders, to hold lands and property, and do other acts. Have you got by-laws?—Yes.

4697. Have you a copy of them with you?—Yes. (Copy of by-laws handed in.)

4698. What is the number of your Board?—There is no limit as to the number.

4699. The rules say no one shall be eligible to be a member of the Board, or an officer of the institution, except he be a member of the Church of Ireland, or of some church in community with the Church of Ireland. Then no child is admitted except on certificate, or other satisfactory evidence, that she is not under three or over ten years of age, and on certificate of the marriage of her parents. Are the children all of one particular denomination?—Well, there is one Presbyterian who was admitted on a strong recommendation from the Bishop of Down and Connor.

4700. How many children are there altogether?—As present sixty-three.

4701. The numbers have been reduced?—Yes.

4702. Are the children all church children with one exception?—Yes.

4703. Is there any by-law with regard to the denomination of the children?—No.

4704. What was the reason of the reduction in the total number of children?—We found we had outrun our income. Our support fell off. We have now a balance on hands, but we had not that for some years before.

4705. You received last year donations and subscriptions, £380 7s. 3d.; from anniversary sermons, offertory, and rent of sittings, £125 14s. 6d.; from three annuities, £128 14s. 6d.; from interest upon money invested, £362 4s. 9d.; from certain sundry items, £24 9s. 5d.; and Parliamentary grant £540, making the total receipts £1,401 12s. 10d. Is the Parliamentary grant an annual grant on the estimate?—Yes, an annual grant on the estimate.

4706. Is it money you have a permanent right to?—No.

4707. You got an annuity bequeathed by Miss Every?—That is paid by the Court of Chancery.

4708. Who pays the annuity bequeathed to you by Mr. Burroughs?—That is paid by Mr. David Mahony.

4709. It is paid down now as £85 12s. 10d., whereas formerly it was £92 4s. 6d., how does the difference arise?—The difference arises from variation of Income Tax deduction.

4710. When did you get the annuity bequeathed by Miss Rudd?—Only within the last couple of years. The *Dowry of the Chapel Royal*.—I believe it was first in Chancery.

4711. Lord Justice Fitzgerald.—How is your bank stock invested?

Witness.—In the names of three trustees—Lord Mowat, Mr. La Touche, and Dean Dickinson.

4712. And the other investments?—Are in the same three names.

4713. They are not incorporated trustees?—They do not appear to be—they never acted as a corporation.

The *Dowry of the Chapel Royal*.—They seem to have done so as to a corporation.

4714. Lord Justice Fitzgerald.—From whom do you receive the Parliamentary grant?—From the Paymaster-General.

4715. Lord Justice Fitzgerald.—How is it paid?—Witness.—Into the accounts in the Bank of Ireland.

4716. Dr. Traill.—Who draws upon it?—Whoever is in the chair at the meetings.

4717. Lord Justice Fitzgerald.—Your expenditures, I see, upon food was £745 13s. 1d., upon clothing £157 7s., upon furniture £26 6s. 3d., and upon the chapel £144 12s. 3d., which includes the salary of the chaplain. The chapel, therefore, costs a little more than it produces?—Yes.

4718. Who is the registrar?—Mr. Makina.

4719. What are his duties?—He keeps the accounts, and superintends the farm.

4720. Has he anything else to do?—No, except to send out summonses of meetings.

4721. Lord Justice Fitzgerald.—Is he a resident officer?—No.

4722. Who looks after donations?—I do.

4723. Professor DOUGHERTY.—Is the registrar resident in Dublin?—Yes.

4724. Lord Justice Fitzgerald.—The matron's salary is only £50. How is there a different figure here?—The matron was given an additional quarter's salary because of her great efficiency. She superintends the management.

4725. Is all the education done by one schoolmistress?—There are only two—a schoolmistress and a workmistress.

April 12, 1906.

Rev. John
Digby Cooke,
Esq.

5726. Dr. TRAILL.—For teaching all those sixty-three girls?—Yes.

5727. Lord Justice FITZGERALD.—Your expenditure last year exceeded your income by £235 l.—Yes, but it will not be so this year. We will have a balance this year of £165 on the right side.

5728. Yes, but you began the year with a balance of £171, so that you will be still £6 to the bad on the year?—We have not got the money yet from our annual sermon.

5729. It has been preached?—Yes, but the money has not been paid.

5730. Where was it preached?—In St. Peter's.

5731. How much did you get?—£47 4s. 6d.—£30 odd at the time and since then £17.

5732. How do you hold the land?—The house and garden stands upon ground held under fee-farm grant from Lord Monagh. We also hold eight acres, to be used as a farm, from Lord Mount Temple. The rent is £65. Some of the farm produce goes in the dietary and some is sold.

5733. Cost of producing milk, potatoes, and other vegetables £254, including rent. The amount realized by the farm produce sold was £39. Your eight acres are rather expensive on you, are they not?—We supply from the farm a considerable quantity of milk for the house.

5734. Dr. TRAILL.—What do you say is the rent of these eight acres?—£65.

5735. Is that do you include the cost of workmen?—No.

5736. Lord Justice FITZGERALD.—Where does the cost of those go in?—In the expenses of the farm—they are included in that.

5737. Dr. TRAILL.—Do you hold any land besides these eight acres?—Only what the house stands on, and the garden.

5738. Lord Justice FITZGERALD.—Is any portion of this eight acres of land available for recreation?—There is a very fine playground, which is included in the house and garden, which stands upon two acres, one roof, twenty-three perches of ground.

5739. Dr. TRAILL.—On any calculation you only seem to get about £65 worth out of the land, while it costs you £264 l.—I think we get more. £50 obtained for sale of farm produce was not paid in until after close of year's accounts.

5740. How are your children admitted?—By petition laid before the Board.

5741. Lord Justice FITZGERALD.—How is the petition filed?—It is filed up and certified by ministers and churchwardens, that the child is a proper subject, and has neither of her parents living.

5742. What is done then?—It is laid before the Board.

5743. How then is the child admitted?—She is brought in charge of some person who can certify to the statements in the petition, and then if she is passed by the doctor she is admitted. In case it is a very urgent case she is admitted at once, but if not she is not admitted until the next meeting of the Board. The case is merely entered on the minutes as being a candidate for admission on the next board day.

5744. Have you any fixed times for admission?—No; the matter is brought before the monthly Board.

5745. How many were admitted last year?—Two.

5746. I see the rule is that the children admitted must have no parent living?—That is so.

5747. Have you any others at present?—No.

5748. What class do the children belong to?—Here is a list of thirty and sixty children selected at random. (List handed in.)

5749. Lord Justice FITZGERALD.—It appears by this list that many of the children are of parents who have been in a better class of life?—Yes.

5750. You have also the children of poorer parents?—Yes. There are a great many children of mechanics and of the poorer people.

5751. Do you give anything above a primary education?—No.

5752. But you would have to qualify them to go into the Training College?—Several of them have gone into it, but the majority go out as servants.

5753. Dr. TRAILL.—But surely the daughters of the men, whose names are in the list, would not go out into situations as servants?—They get expense situations in the best houses in Dublin.

5754. Professor DOUGHERTY.—Have you increased the staff of the school since 1880?—No, we have not, but we have re-arranged the situation, and the school-mistress now assists in the work-teaching, and the work-mistress assists in the literary teaching.

5755. There was a complaint about the quality of the education then?—Yes.

5756. Do you think the quality of education has improved since?—I did not altogether agree with the inspector's report upon that occasion. He seemed to think, or to have the idea, that the instruction should be more of a literary character, and less of an industrial.

5757. Dr. TRAILL.—You combine industrial with literary teaching?—Yes.

5758. Professor DOUGHERTY.—What industrial work is done?—The whole work of the house.

5759. Rev. Dr. Meeson.—Do all the children take part in the work of the house?—Well, we admit children at three years old, but even the little ones have occupation given to them.

5760. Would it not be well to give them for a certain period at first only a literary training until they had obtained a knowledge of the elements of reading, writing, and arithmetic?—That is so. It was in the examination in geography the children failed, and either one or other of them answered every question except one, and that one was "in what county is Portmarnock?" Now that they failed to answer this question is not surprising, as I said afterwards, as I once saw in the *Times* newspaper "Galway, Mayo, and the county of Oconnough."

5761. While giving them an industrial training you give them also such literary education as you can?—Yes.

5762. Dr. TRAILL.—Do any of them go out as governesses?—As nursery governesses.

5763. The antecedents of the girls, as a rule, point rather to governesses than to servants?—Yes.

5764. Professor DOUGHERTY.—Is the one position much above the other?—I think in a good family the position of a domestic servant is better than most of the positions going to nursery governesses or shop-assistants. I will show you how I arrive at that conclusion. I have Savings Bank books representing about £200 placed in my hands by girls who are in service to keep for them, but have not one penny from girls who have gone out into other positions. In shops and other positions they get about £30 a year, very often less, and have to feed and clothe themselves out of that.

5765. Lord Justice FITZGERALD.—I see you maintain them at about £31 a head per annum, you could not give a very good education for that?—We find there is little or no demand for girls, except for domestic servants, and ours get the very highest situations as such.

The Dean of the Chapel Royal.—Of course we could not have two classes in the institution taught separately.

5766. Lord Justice FITZGERALD.—The children are received while they are aged from five to ten years?—The Board has reduced the age to three.

5767. Then you have an infant school. How many of the children are under the age of seven?—About one-fourth.

5768. Dr. TRAILL.—How many of the sixty-three children are under five years of age?—I suppose about fourteen or fifteen.

5769. Lord Justice FITZGERALD.—Then they do not leave the institution without special resolution, until they are eighteen?—Yes.

5770. Do they remain, as a rule, until then?—They remain until they are seventeen.

5771. Then, at the least, they are seven years in the institution, and at most fourteen before going out?—Yes.

5772. The average would be about ten years?—Yes.

5773. Then you have only a few—about six or seven children leaving each year?—Six or eight.

5774. Rev. Dr. MOLLOY.—Have you any record of the origin of the Parliamentary grant?—Strange to say, no. In our minutes it is incidentally alluded to a few years afterwards, and referred to also in Parliament—the Irish Parliament.

The *Dean of the Chapel Royal*.—I believe the first grant was £500.

5775. Lord Justice FITZGERSON.—That was afterwards increased?—Yes, and whenever a deficiency of funds occurred it was made up.

5776. Rev. Dr. MOLLOY.—Do you want money?—Oh, yes, we would like money. If we had more money we might admit more children, and might give them a better literary education.

5777. Lord Justice FITZGERSON.—Is there any modification of statute or by-laws you think is necessary to apply for?—None, except, indeed, it might be desirable the money should be invested in the names of the governors.

5778. You can do that for yourself?—Well, I do not think anything more is required.

The *Dean of the Chapel Royal*.—No, nothing more is required.

Witness.—The girls brought up in the institution are most successful in after life.

5779. Dr. TRAILL.—Do you conceive the blemish classes, or the better classes who have been reduced, to have the most claim upon you?—From the beginning the majority of the children were of respectable parents.

5780. Lord Justice FITZGERSON.—But of course, poor?—Of course, they must be destitute.

The *Dean of the Chapel Royal*.—Absolute poverty is the test.

Witness.—It is observed the children of the better class appear to value most the training they get at the institution.

5781. Dr. TRAILL.—But the education for them is insufficient, at all events it is of such a character that the children have not the slightest chance by its means of regaining their former positions?—That is through lack of funds.

5782. Lord Justice FITZGERSON.—But if you admitted fewer children?—Well in any case there is only a demand for girls as servants. There is no demand for girls for other positions.

5783. Rev. Dr. MOLLOY.—Is your institution confined to one religious denomination?—Yes. There is one Presbyterian child in the place. She was recommended for admission by the Bishop of Down and

Connor, at the urgent request of the Presbyterian grandmother, and in fact I never recollect so much influence being used as in her case. There were letters from all directions about her.

The *Dean of the Chapel Royal*.—I may mention that when we discover a child of great ability we pay unusual attention to her literary education.

5784. Lord Justice FITZGERSON.—What inspection of the schools have you?—There is an annual one by different clergymen in Dublin.

The *Dean of the Chapel Royal*.—I think we ought to submit to a Government inspection.

5785. Dr. TRAILL.—Who are these clergymen who inspect the schools?—Men who take a great interest in schools.

5786. Have they any experience in education?—Except in their own schools.

5787. Rev. Dr. MOLLOY.—What is now the amount of the Parliamentary grant?—£500.

The *Dean of the Chapel Royal*.—Under the Industrial Schools Act orphans have great claims to public money. If we lost that £500, we would get it from another source. It would be very hard, however, on the general run of the children of the class we admit—children of the better class—to have to go through the horrible necessity of going down to the Police Courts and going through the necessary formalities there.

5788. Rev. Dr. MOLLOY.—I do not want to take your £500 from you, as long as you get it from Parliament, but I wish you would tell us the secret of how you get it.

The *Dean of the Chapel Royal*.—That secret died with the Irish Parliament.

Witness.—The grant was discussed in Parliament once, and it was contended that it was not fair for certain Irish members to object to what was done by an Irish Parliament, and the argument was held to be a very good argument.

5789. Lord Justice FITZGERSON.—I see in the old report it cost you then 7d. a day for food. It costs you now about 8d. a day.

The *Dean of the Chapel Royal*.—That is the calculation in hospitals for diet—8d. a day.

5790. Rev. Dr. MOLLOY.—Are the governors all of one religious denomination?—Yes.

5791. Lord Justice FITZGERSON.—There would be no objection, I suppose, to our visiting the school.

The *Dean of the Chapel Royal*.—Nothing would gratify us more.

Well, if during the sitting of the Commission you came to the conclusion that a modification of your Parliamentary powers would be of any use to you, please send us in a statement and we will consider it. As at present advised, the Act seems not to apply to the endowment, unless you consent.

The *Dean of the Chapel Royal*.—Any time the members of the Commission desire to visit the school we will be happy to see them.

BETHESDA FEMALE ORPHAN SCHOOL.

Rev. C. H. H. Wright, D.D.—On behalf of the Bethesda Female Orphan School I claim it to be exempt under the 7th section of the Act.

5792. Lord Justice FITZGERSON.—Miss E. Aylmer writes as follows:—

"Miss E. Aylmer Hon. Sec. of the Bethesda Female Orphan School begs to inform the gentlemen of the Educational Endowments Commission that the above school is partly self-supporting, but its chief income is derived from annual subscriptions and collections by means of charity sermons and otherwise. They have also a small income arising from Government stock, namely, £1,443 and bank stock for £228 odd, both which sums are now vested in trustees. There is also a yearly sum of about £8, the interest of a bequest of Lady Selkirk, and also a yearly sum of nearly £7, the interest of a bequest of Miss Coddington,

and a profit rent of a house situated in Cuffe-street, amounting to something over £11—when paid. Miss E. Aylmer may also mention that the Bethesda Orphanage is for the exclusive benefit of Protestant orphan girls and all the governors thereof are members of the Church of Ireland. Under these circumstances it is apprehended, that this school is (under the 7th Section of the Act) outside the jurisdiction of the Commission, and the governors have no doubt it should be otherwise."

Now, of course, if this is correct, the institution is exempt, but the property is of a very miscellaneous character and it would be, I think, very much to their advantage if the governors consented to have a scheme settled. But we cannot go into that question now. What we have to decide at present is whether the institution is outside the Act, or not. Who are your trustees?

April 12, 1867.
Rev. John
Hugh Cooke,
M.A.

Bethesda
Female Orphan
School.
—
Rev. Dr.
Wright.

April 12, 1886.
Rev. Dr.
Wright.

Rev. Dr. Wright.—We have no trustee at all that I have been able to discover. I am chaplain of the institution.

3783. Rev. Dr. MOLLOY.—Have you a governing body?—Yes, gentlemen.

3784. Can you say when the female orphan school came into existence?—With the church, in 1788.

3785. Lord Justice FITZGIBSON.—The orphanage was opened in connexion with the church?—Yes.

3786. How are the governors appointed?—They are co-opted. They have a right to the church for one day of the year for a sermon.

3787. Who is the owner of the house?—I cannot really tell you that. I should think the owner of the Bethesda Church. But then there are no trustees of the orphanage; there are trustees of the church—five trustees.

3788. The orphanage is not connected with the church physically?—The vestry of the church is part of the orphanage buildings.

3789. Then they appoint?—They adjoin. I should fancy the orphanage was given over to the trustees of the church—that is to say, to be used as they think fit.

3800. Professor DOUGHERTY.—Are the governors all members of the congregation?—Not all of the congregation, but all members of the Church of Ireland.

3801. Lord Justice FITZGIBSON.—How many governors are there?—There are at present twenty-two.

3802. William Smyth granted you part of the site and you were given a renewal lease of another portion of it. How are your children admitted?—They are admitted by the governors.

3803. By election?—By election. The children must be orphans, one parent at least must be deceased, either father or mother.

3804. Is there any form or statement to be made about them and their denomination?—That is given in the details sent forward.

3805. The children in 1880, were all Church children. Is it the same now?—Yes.

3806. In reference to payments to Pension Fund, have these ceased now?—They have ceased.

3807. As far as we can see, the Bethesda School is exempt under the seventh clause; and we have no jurisdiction, unless the consent of the governing body is given. By deciding it is so exempt we decide the charity is exclusively belonging to one denomination, and of course would act accordingly if the necessary consent is given. This should be borne in mind by you. We are aware that the normal condition of almost all incorporated charities with regard to their property, is what I have called a most unsatisfactory condition; and I think you are in a position to derive very large benefits from having a more permanent constitution than you possess at present. It would enable you to insist on lay down regulations as regards the election of governors, their qualifications, and their powers. We are entirely without that now. I have no authority to consent to the jurisdiction of the Commission.

3808. We have no desire to press any institution which is exempt to come within the jurisdiction of this Commission; but we wish you to bear in mind that by deciding an institution is exempt, we decide that its funds belong to one denomination—I will mention this to the governing body.

Dr. TRAILL.—It seems there are no trustees at present; no charter to regulate the trusts, or the management of the property.

3809. Lord Justice FITZGIBSON.—You have perfect confidence, I suppose, in the gentlemen who at present hold the property; but there might be some difficulty if it became vested in the representative of the last survivor. Then again the occupier of the house in Castleknock might put you on your title, and you might be obliged to go to Chancery to establish it—I will let you have said before the governing body, and see if they consent to the suggestion made.

The Commission then adjourned.

April 15, 1886.

TUESDAY, 13TH APRIL, 1886.

At the Commissioners' Office, No. 23, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FITZGIBSON, Judicial Commissioner; and Rev. GEORGE MOLLOY, D.D., D.S., FRANK ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

Castleknock
Parochial
Schools.
—
Mr. John
Mossell.

CASTLEKNOCK PAROCHIAL SCHOOLS.

5810. Mr. John Mossell, Solicitor.—The trust property in this case is vested in trustees, and they claim to be exempt on the ground that the governing body is strictly denominational.

5811. Lord Justice FITZGIBSON.—There is no question, I suppose, about the governing body being denominational. Will you state the history of the endowment?

Mr. Mossell.—The endowment arises from three different sources. The first is a rent-charge of ten pounds a year, Irish, created by the will of William Crosthwaite, dated the 15th August, 1730, and payable out of the Rectory of Follystown, and tithes in the barony of Screen, in the county Meath, payable to the Archbishop of Dublin for the time being, and to his successors; and the trusts were that first out of the annuity a charity school was to be built in Castleknock parish, and a certain sum was to be paid yearly to one schoolmaster in the parish of Castleknock, who was to be a constant resident therein, for his labour and instruction of so many poor children as the Lord Archbishop or his successors

should think and judge reasonable, according to his trouble and attendance. He was to instruct the children in writing, and in reading the English language. I believe that in pursuance of that devise a school-house was built, and put into operation at a very early date, and is situated on part of the glebe lands of the parish of Castleknock.

5812. Lord Justice FITZGIBSON.—You say the Archbishop was the trustee of that endowment?

Mr. Mossell.—Yes, the sole trustee. The annuity is still payable. It is paid now by the Hon. Mr. Corbally, of Coleraine, through his agent, Colonel Deane.

5813. Lord Justice FITZGIBSON.—To whom is it paid?

Mr. Mossell.—It has hitherto, until circumstances arose which I will state presently, been paid to the incumbent of the parish, Dr. Sadleir.

Rev. Dr. Sadleir.—It was to be paid to the master himself, on the step of the church door.

5814. Mr. Mossell.—The next endowment is one under the will of William Tisdall, dated 13th October, 1831, by which he devised the lands of Follystown,

after certain life estates which have since determined, to the Protestant Rector of the parish of Castletown, and his successors, in trust for the Protestant parish school of the said parish. He directed that if at any time there should not be a school-house in the parish, the income of the said lands was to be accumulated for four years after the death of the testator's wife, for the purpose of building a school-house. Then there was a gift to the same trustees of the residue of his property, after certain bequests, in trust for the said parish school. This, however, was the subject matter of some proceedings in the Court of Chancery, and there is now remaining a fee-farm rent which issues out of the land, amounting to £184 13s. issuing out part of the lands in possession of a tenant who hold under a lease for lives, which has since been converted into a perpetuity grant, and there is another portion of land held by a yearly tenant who pays a rent of £20. The fee-farm rent is £184 13s., and Mr. Baillie says £20 a year.

5815. Lord Justice FRYGEMAN.—That makes £214 13s. There was formerly some stock?

Mr. Munnell.—There is none of it now. A part of that stock was invested in the purchase of a field from the Commissioners of Church Temporalities, containing one acre, three roods, and nineteen perches, situate near, held in fee simple under a conveyance to Dr. Sadleir, dated the 16th April, 1876, in consideration of the sum of £140. That field now pays a rent of 4s a year, it never paid more.

5816. Whose property is it now?

Mr. Munnell.—I will state the circumstances under which the Representative Church Body became possessed of it.

5817. Lord Justice FRYGEMAN.—But that is not the site of the school?

Mr. Munnell.—No, the school-house is on the glebe land (lands in map). There is a lease of the adjoining premises made by Sir Edward Cecil Guinness, Bart., on the 6th March, 1883, to Dr. Sadleir, consisting of one rood, Irish, part of the lands of Castletown, formerly known as the Castletown Savings Bank, for a term of twenty-two years, in trust for the Protestant schools of the Church of Ireland, or as a residence for the Protestant clergyman or schoolmaster of the Church of Ireland, for the parish of Castletown, and subject to the yearly rent of £10.

5818. Professor DOUGHERTY.—I see that in the report of 1886 the amount of the fund was £753?

Mr. Munnell.—I think you will find in the last report that there was no property.

5819. Is that £753 subject to interest?

Mr. Munnell.—No, it has been all paid away.

5820. Part of the fund was originally invested. It has since been paid away?

Mr. Munnell.—Yes.

5821. Is that the whole endowment?

Mr. Munnell.—That is the whole endowment. There are annual subscriptions in addition.

5822. Rev. Dr. MONRO.—The subscriptions amount to about £20 a year?

Mr. Munnell.—About £20 a year.

5823. Lord Justice FRYGEMAN.—The next question is, is this an exclusive school? I see that there were attending the school, at one of the latest investigations, three Presbyterians, no Roman Catholics, and forty Church of Ireland children?

Mr. Munnell.—In the report of the Endowed Schools Commission of 1881, at page 116, vol. 1, it is stated that "the children attending the school at the date of our inquiry, were without exception Protestants, and the great majority members of the Church of Ireland. Formerly a very large number of Roman Catholics attended; at that time, however, this was the only school in the parish. There is now within a few yards of it a National school, under Roman Catholic management."

5824. Lord Justice FRYGEMAN.—The report shows seventy-three members of the Church of Ireland against five Presbyterians.

Rev. Dr. Sadleir.—There is no difference made between them in the teaching.

5825. Do you confine the religious instruction given in the school to the teaching of Scripture?

Rev. Dr. Sadleir.—Oh, no; the church catechism is taught to the children.

5826. Dr. TRAILL.—Is it taught to the Presbyterian children?

Rev. Dr. Sadleir.—It is taught to the Presbyterian children, and the parents never object to it. In fact a Presbyterian who sends his children to the school, when we were making up the last Census, said to me that the children attending the school should all be returned as Church of England.

5827. Who was he?

Rev. Dr. Sadleir.—One of the Presbyterians of the parish.

5828. Was he returned as a Protestant?

Rev. Dr. Sadleir.—He was returned according to his wishes.

5829. Professor DOUGHERTY.—Did he make his own return or did you ask him to make a return?

Rev. Dr. Sadleir.—I think we asked him to make some return. I think so. At all events, he wished to be so returned.

5830. Lord Justice FRYGEMAN.—(To Mr. Munnell.) To whom was the fee-farm grant made?

Mr. Munnell.—The fee-farm grant was made to a man named Duffy.

5831. Was it the same man who held part of the same estate at £134 formerly?

Mr. Munnell.—Yes. On the occasion of the extinction of the grant the Representative Body first ascertained that they had anything to say to the trust.

5832. Who do you say is the governing body?

Mr. Munnell.—The Representative Church Body.

5833. They do not desire to have any scheme settled for its management?

Mr. Munnell.—They do not.

5834. Rev. Dr. MONRO.—Do they claim exemption.

Mr. Munnell.—I understood that they wrote to say they did.

5835. Lord Justice FRYGEMAN.—We have a letter which is not exactly claiming exemption, but amounts to the same thing. The first letter says your communication shall be laid before the legal committee, that was received on the 21st November. Subsequently, we got a letter stating that it appears to the Representative Body of the Church of Ireland, which, I suppose, must mean the legal committee, that the Castletown endowment does not fall within the provisions of the Educational Endowments Act of 1885.

Mr. Munnell.—I was merely sent a notice of this meeting and requested to attend.

5836. Rev. Dr. MONRO.—You do not want to get the benefit of the action of the Commission, Mr. Munnell, if you are exempt?

Mr. Munnell.—I have no instructions on that point.

Mr. William Darling.—I wrote a letter to the Commissioners about this school at Castletown.

5837. Lord Justice FRYGEMAN.—We have no jurisdiction to deal with this school at all, if it comes within the exemption of the Act of Parliament as being exclusively a Church school, unless the governing body consent to our doing so. Your letter relates to the management of Castletown school. The complaints that you have against the mode of management are not urged by yourself alone, but have arisen on every occasion on which this school has been reported on. But we cannot go into the matter at all, except with the consent of the governing body, if we must accept the contention that the school is exempt. Upon the point as to whether it is an exclusively Protestant school, is there anything you would like to say?

Mr. Darling.—I have nothing to say against it, although when I attended the school in 1855 some

Apr 13, 1888.

Mr. John Munnell.

April 12, 1882.

Rev. Dr. Sadleir.—The Catholic children attended it. The matter I wish to speak of is as to the keeping on of the vans.

5838. Dr. TRAILL.—That is a question of management. Is it under the National Board?

Rev. Dr. Sadleir.—It is.

5839. Dr. TRAILL.—When was it put under the National Board?

Rev. Dr. Sadleir.—In 1881.

5840. Rev. Dr. MOLLOY.—Are you not bound to admit children of all denominations?

Rev. Dr. Sadleir.—None but Protestants are expected to come.

5841. That is, they would not be allowed to come.

Dr. TRAILL.—They would not be allowed by their own people.

5842. Rev. Dr. MOLLOY.—But the school is available for the education of all according to the system of the National Board?

Rev. Dr. Sadleir.—It is.

5843. Then the school is actually applicable to the education of children of all denominations.

Rev. Dr. Sadleir.—After we get out of the difficulty we are in now, we do not require to be under the National Board. The feeling of the parishioners is strongly against having anything to say to the National Board, and I think the impression is to draw at once away from the National Board.

5844. Lord Justice FITZGERALD.—The school is in a most unsatisfactory condition as regards its constitution. It has one sole manager, and there are complaints which you may see in the reports of the management.

Rev. Dr. Sadleir.—An incumbent, I never heard any complaint either of the management of the school or of the finances.

5845. Lord Justice FITZGERALD.—If you have read any of the reports, you could hardly have read that statement.

Rev. Dr. Sadleir.—On the last occasion that I had the pleasure of coming before you, you seemed to be under some misunderstanding about the way the finances were applied.

5846. Lord Justice FITZGERALD.—Here is the report—I would not trouble you with this, but that you say you never heard any complaint:—

"Mr. Moore reports that in *orthography, grammar, and geography*, the answering was indifferent; in *spelling and reading* decidedly bad. The fault was not with the teacher, who was an intelligent and hardworking person, but with the manager (Dr. Sadleir). There were seventy boys and girls present, and these the teacher, with assistance of a student, was required to instruct in a course which included Latin, Euclid, algebra, arithmetic, book-keeping, singing, and drawing. The school was inspected by the chairman of an adjoining parish, the reports of that gentleman merely consisting of the usual and well-known compliments to teachers and pupils. The large sum of money spent annually in bringing strong healthy children to school in covered vans, would be much better spent in increasing the staff and providing an education so well suited to the children's ability to walk. The boys' and girls' schools had been amalgamated."

It also makes the statement that—

"In 1837 the Commissioners handed over to Dr. Sadleir a sum of £102 11s. 8d. cash, and a sum of £623 3s. 3d. new 5 per cent. stock, representing, as Dr. Sadleir stated, money which had been recovered by the Commissioners to recompense the charity for interest on a mortgage. A further sum of £80 3s. 4d. new 5 per cent. stock, recovered by the Board of Charitable Donations and Bequests was also transferred to Dr. Sadleir."

It says also that—

"Dr. Sadleir has since 1835 annually charged against the funds of the school a sum of £80 for the carriage of people to and from the school, employing for the purpose two vans, the horses and drivers for which are hired out by himself for the charity, at 3s. 6d. a day for each horse and team. An accumulation of these charges was included in the deficit which he paid out of the produce of the sales of stock."

£80 a year for twenty years comes to £1,600.

Rev. Dr. Sadleir.—If these vans were discontinued, we would not have ten children in the school.

5847. Professor DOUGHERTY.—Have the parishioners had a meeting?

Mr. Darling.—I heard that there was a meeting in Merrion-square about it.

Rev. Dr. Sadleir.—There was a meeting convened for the parishioners meet.

5848. Lord Justice FITZGERALD.—One would imagine a meeting of the parishioners ought to be held in the parish.

Rev. Dr. Sadleir.—It was for the convenience of the parishioners and at their request.

Mr. Darling.—I understood it was two or three of the parishioners.

5849. Lord Justice FITZGERALD.—We should know whether those present represented the parents of the children. Sir Edward Cecil Guinness, Bart., Mr. Isaac Trant Hamilton, Mr. Alexander Kirkpatrick, Sir Robert S. Ball, Mr. John Fox Goodman, Mr. William Mackay, and Mr. Edward Smith, were the members attending. How were they selected?

Rev. Dr. Sadleir.—No one was invited to attend but the representatives of the three parishes. They were the select vestry, selected by the parishioners themselves.

5850. Lord Justice FITZGERALD.—How were the representatives selected?

Rev. Dr. Sadleir.—They were by the select vestry, elected by the parishioners themselves.

Lord Justice FITZGERALD.—The select vestry has nothing to do with the school.

5851. Professor DOUGHERTY.—A meeting of the select vestry is different from a meeting of the parishioners.

Rev. Dr. Sadleir.—If I knew Mr. Darling to be anxious he would have been invited.

5852. Dr. TRAILL.—(to Mr. Darling).—Are you a registered vestryman?

Mr. Darling.—I am.

5853. Will you have a "meeting on Easter Monday?"

Mr. Darling.—We will.

5854. Lord Justice FITZGERALD.—At the meeting a statement was given of the general position of the school. The items of expenditure were—teacher's salary over and above the National Board, £118, school requisites, £40, rent of schoolmaster's house, £10, hire of vans, £80 a year; total £248, and then the circumstances were explained with regard to these vans, and it was resolved—that the select vestry express their approval of the way Dr. Sadleir has hitherto managed the school, and request he would continue to act as manager; the select vestry are satisfied that the connexion of the school with the National Board shall continue; and they consider it desirable that the vans should continue to be employed; and the last resolution appoints an auditor. Has the select vestry any authority to interfere in school matters?

Rev. Dr. Sadleir.—They are the representation of the parish, and also represent the school.

5855. Is there any provision to that effect in the Church constitution?

Rev. Dr. Sadleir.—We are to consult the parishioners on Easter Monday; but with regard to Mr. Darling's objection, I can very well understand it, because he lives next door to the school; but parents of the children who come from remote parts of the parish do not agree with him—recall that there were three parishes, there are now two, and the union is very nearly four times as large as all Dublin.

5856. Lord Justice FITZGERALD.—It would be well that the parishioners should have an opportunity of considering these matters. How many of the sixty children attending the school are brought in the vans?

Rev. Dr. Sadleir.—About twenty-eight.

Lord Justice FITZGERALD.—The position of this matter is in some respects rather embarrassing, and at the same time it is extremely important with regard to other cases. The school has been endowed as a Protestant school and vested in the Protestant Rector.

and the will under which the chief endowment is held by the word Protestant residually meant "Church of Ireland." Therefore the main endowment appears to be excluded from the Act unless with consent. There was an endowment, which is only £10 a year, given to the Archbishop in trust for a school for the poor children of the parish, which would in terms be not exclusive, but there being 110 years between the foundation of that endowment, and the one of which the Rector is trustee, and the £10, being of no use by itself, having become appropriated to the present school when it was an exclusively Protestant school, we could not now separate it, and after such a lapse of time we must assume that the school to which it was originally given was one of an exclusive character. The only remaining endowment is the school building, which is on Church land, originally vested in the Incumbent and now vested in the Representative Church Body. Therefore, as far as the property is concerned, this appears to be an exclusive and exempt endowment. If the school were not now under the National Board it would appear more clearly that the endowment was exclusive, but its being now a National school raises a question which is of very wide bearing namely, whether the mere fact of a school being placed under the National Board removes it from the exemption of this statute. It is important to bear in mind that the exemption is based upon the fact of the endowment being applicable and provided exclusively for the benefit of persons of any particular denomination, and not on the fact that children of other denominations may be admitted to the school; many schools have taken advantage of the National system for the purpose of obtaining Government aid and Government inspection, without any intention of altering the character of these endowments, and certainly a decision that every school which has been placed in connexion with the National Board has thereby prevented any of its endowments from being any longer regarded as applicable or provided exclusively for any particular religious denomination, would affect a great number of schools of every religious denomination in the country, and probably defeat the true intention of the founders and of the Act. We are at present unable to have the advice of my Lord Chancellor, and I certainly would not take it on myself to decide it in his absence, a question so greatly affecting so very many Catholic schools. He and I must agree in all matters of law in which we are to take action, and I should be very sorry ever to give a final opinion on any question of importance without consulting him. Accordingly we must now let this matter lie over for further consideration. But there is a great deal more for consideration than the question of law. We have before us the history of this school in the reports of two previous commissions. It is a school of which the constitution is not satisfactory. It has been so reported on every occasion, and that it is not now satisfactory is very plain from the fact that we have been informed of discussions going on about it in the Representative Body itself. We have also a parishioner attending to state that he is not satisfied; and we had on the other side the opinion of a meeting called several miles away from the parish, not a meeting of all the parishioners, but of the Select Vestry who don't represent the parishioners in educational matters at all, which passed resolutions in the absence of those most interested namely, the parents of the children attending this school. We also have a report from the Church Body through Mr. Mansell, that they have only very recently taken up this question, and we have no intimation whether the Church Body which is now the governing body of the endowment, desirous to take advantage of the powers of the Act to amend the condition of that endowment and reorganize the school. Under these circumstances, the consideration forces itself upon us, that before we deal with the matter on legal grounds the Church Body ought to consider whether the changes which have been suggested ought not to be made. At a future day, not earlier than the last fortnight in May, we will

decide the question of exemption. We hope the parishioners will in the meantime consider whether they should desire to have the constitution of the endowments investigated and the powers of the Act put in motion. If they so desire, it would occur to us that their proper course would be to apply to the Representative Church Body, not to us, to help them, and if the Representative Church Body comes to the conclusion that it can manage the endowment better without the assistance of this Commission, if we find it exempt, we will escape all further trouble. But on the contrary, if the very plenary powers of this Commission are thought useful, and the Church Body comes in with a proposal for a scheme, we will at once proceed to deal with it as may seem best for the endowment. I would only throw out in conclusion that the opinions we have expressed as regards the exclusive character of the endowments in the male world, in the settlement of any scheme that might be brought forward by the Church Body, necessarily be maintained. The course of leaving the matter to be first discussed by those really interested, the parishioners, and those really charged with the management, the Representative Body, before we decide whether we have compulsory jurisdiction or not, may be the wisest course.

Rev. Dr. Sadler.—According to the terms of the will of Mr. Crosthwaite—his property was left to educate the poor Protestants of Castleknock, Glensilla, and Mulhuddart, where he resided. Accordingly each of these parishes claimed a school, and the claim from Glensilla was so strong that I had to establish a school there. It was a National school attended by all parties; but after some time the Roman Catholic clergyman of the parish who had originally agreed with me in the outset, called on me with a number of others, and requested that I should dismiss the master and mistress, because both of whom were Presbyterians; I said that my other National school in the Phoenix Park was under the direction of a Roman Catholic mistress, the majority of the children being Roman Catholics, but there was a Protestant assistant, and that if the Lord Lieutenant, or the Archbishop, or all the Bishops in Ireland came to me to dismiss any of those teachers because of their religion, I would not do it. "Very well," said they, "we will withdraw our children." They did so, and then the school fell below the number required by the National Board to get salaries and was closed. Then the question arose "what were we to do," as the funds would not enable us to keep up three schools. I then mentioned the difficulty to Lord Chancellor Byles, and proposed to him the idea of the vans. He thoroughly approved of it, and Lord Annaly and others to this day will not give one farthing to encourage the school because it is not in Mulhuddart or Glensilla, but they cheerfully give for the vans. When I had the meeting the other day, I intended it to be a representative meeting of the three parishes. I would be only too happy to do without the vans, as they cost more than is paid for them, but if they were discontinued the children from Glensilla and Mulhuddart (some of whom reside five miles from Castleknock) would be left unprotected.

Lord Justice FitzGibbon.—Mr. Sadler, we must now let it stand over. The parishioners and the Church Body will consider the position.

Mr. Mansell.—I think before the Church Body consider the matter it would be desirable that there was a general meeting of the parishioners to intimate their wishes to the Church Body.

Rev. Dr. Sadler.—I am sure Mr. Darling, who lives in the village of Castleknock, won't get a single individual in the parish to join him in wishing to have the vans discontinued.

Lord Justice FitzGibbon.—We cannot call a meeting for you.

1887. Dr. TRAILL.—When you give notice of the Easter Vestry would it not be well to give notice that the case will be considered?

Rev. Dr. Sadler.—I intend to do so.

April 12, 1887.

Rev. Dr. Sadler.

April 13, 1884

Coolock
Parochial
School.

COOLOCK PAROCHIAL SCHOOLS.

Rev. Dr. Skelton appeared on behalf of the governing body.

5838. Lord Justice FRYGEMAN.—The Coolock endowment appears to be £360, invested in new three per cent. stock. Is this school admitted to be vested in the Church Body?

Mr. Mounsell.—There is no school at all.

Rev. Dr. Skelton.—The school is closed at present for want of funds. The endowment is a moiety of a sum vested, which belongs about £30 a year. The trustees were the Rector of the parish and Dr. Darley. Dr. Darley has died since I was here last. At the present moment the Church Representative Body are the trustees.

Mr. Mounsell.—The money is standing now in Government Stock, in the name of the incumbent of the parish for the time being. The Bank of Ireland

would not pay the money now, as they have discovered that they have been acting illegally in doing so. It was in consequence of this very trust that the Bank of Ireland refused. It was the first case brought under their notice by the request of Dr. Darley. The Representative Church Body referred to me the question whether they might take it; I found that virtually it was vested, I understand that the Bank of Ireland had submitted a case with reference to all these trustees Mr. Jellett, that he may advise them what to do. The difficulty of the Bank of Ireland is that a number of sums are invested in the names of the incumbents for the time being, but they have no notice as to what the trusts are. If they were trusts in relation to chapels or other things exempted from the Church Act, they would be vested in the Church Body.

*RAHENY PAROCHIAL SCHOOL.

Mr. John Mounsell appeared on behalf of the governing body.

5839. Lord Justice FRYGEMAN.—You have an endowment in Raheny.

5840. Mr. Mounsell.—Yes, but it is very small—£30, the rent of eight cottages. They were handed over to Lord Ardilaun only a short time ago. They do not produce that sum. Mr. Law was the trustee for a great number of years. In the Report of 1813 it is reported to be in a state greatly out of repair.

5841. There were two schools, one an infant school on a site granted by Lord Howth, and apparently very good; the other was the ordinary parochial school which was endowed with a site.

Mr. Mounsell.—That was a mistake. There was no site.

5842. Lord Justice FRYGEMAN.—A house left by Mr. Samuel Dick.

Mr. Mounsell.—I have here a copy of the will. It leaves eight small houses which he had lately built, in trust to pay a schoolmaster for superintending the charity school lately established, any redundancy to be applied towards providing clothing for the children of such parents as are most in want of it in the parish.

5843. Lord Justice FRYGEMAN.—What is the school referred to as the school lately established?

Mr. Mounsell.—I had a great deal of trouble to find that out, because there was a claim made with reference to the school house, and I had to investigate the whole matter for the Representative Church Body. That school was always kept in repair by the parish. The house itself was built on a part of the graveyard. We found, on examining the books, that the portion of the parish had been in fact the schoolmaster from 1810 or 1812; and in 1838 a Mr. Lyon was appointed. He was sexton and schoolmaster, and held various other offices; amongst the rest he built out of his own funds at the side of the school-house a post-office, and he was the postmaster; and he built at the other side of it a dispensary, though he was not the dispensary doctor, but he got £10 a year for the use of the house as a dispensary. He built it on the road.

5844. Was there not somebody who got possession of these eight cottages?

Mr. Mounsell.—Oh, no.

5845. Who owns the infant school?

Mr. Mounsell.—It is vested now in Mr. Law and Lord Ardilaun, as trustees.

5846. Does it not strike one that the endowment should be in some way utilised for an existing school?

Mr. Mounsell.—We would have been very glad to do it on behalf of the parish, if it could be done.

5847. What is to prevent it?

Mr. Mounsell.—The way the matter stands at present is this—in 1879 the cottages all were in an ex-

ceedingly dilapidated state, in fact tumbling down, and Mr. Law, by a deed of the 20th March, 1878, transferred them to Sir Arthur Guinness. Lord Ardilaun spent £375 in rebuilding, re-roofing, and repairing them, and putting them into a habitable state. There is still a very large sum due to him in respect of that advance.

5848. Is Lord Ardilaun at present the mortgagee in possession of these cottages?

Mr. Mounsell.—He is. He spent £375 3s. 3d. on them. There is now due £125 15s. 6d. He has been receiving the rents, and the rent he gets per week is 17s. 4d.

5849. Has nothing been applied for school purposes since then?

Mr. Mounsell.—Nothing.

5850. I suppose Lord Ardilaun subscribes to the other school?

Mr. Mounsell.—He does.

5851. What is the title of the existing school?

Mr. Mounsell.—It is vested in Mr. Law and Lord Ardilaun, as trustees of another deed altogether.

5852. That is an endowment we could amalgamate for you with the others.

Mr. Mounsell.—I am making no application whatsoever. The infant school is on Lord Howth's site.

5853. Lord Justice FRYGEMAN.—The first building which had a dispensary on one side and a post-office on the other. What is that now?

Mr. Mounsell.—When the Church Act was passed Mr. Lyon put forward a claim to be owner in fee-simple of the old charity school, and he undoubtedly was the owner of the two ends of it. We found, on enquiry, that he had been paying the taxes and poor rates for the whole for over twenty-five or thirty years.

5854. Dr. TRAILL.—Had it ceased to be accepted as a school during that time?

Mr. Mounsell.—No, it had been used; five or six or seven boys attended. He put forward a claim as owner in fee. We were afraid he might sell his interest to somebody who might set up a public-house or something of that sort adjoining the church. Lord Ardilaun then came forward and purchased the interest of Lyon, and the Representative Body conferred a conveyance on him, he paying £160. Lord Ardilaun gave Lyon £10 a year; I pay him £5, and we got up the title.

5855. Lord Justice FRYGEMAN.—It appears that the old charity school, vested under the Church Act in the Representative Church Body, has been by them assigned to Lord Ardilaun, and Lord Ardilaun is in possession.

Mr. Mounsell.—Yes, Lord Ardilaun has built in the parish school a new post-office.

3874. Lord Justice FRYGIESSON.—What was the object of taking up this old building?

Mr. Mansell.—To prevent a nuisance to the church. It is quite close to the church. There is a school in it now. In the part that was used as a dispensary a doctor attends still.

3875. The next endowment is Dick's, which is an endowment for the school that has passed away from school purposes. Dick's endowment is in the hands of Lord Ardilaun, for repairs to be paid off, and he has an interest in it. There still remains a third school, which is an existing school.

Mr. Mansell.—There is. It is managed by Mr. Law.

3876. What is the title to it?

Mr. Mansell.—It is held under a deed of 38th December, 1890.

3877. What are the terms of the deed. Is it a school building?

Rev. Dr. MOLLOY.—Is there any education given in it?

Mr. Mansell.—Yes, it is an infant school. In 1875 it was a bare.

3878. Lord Justice FRYGIESSON.—What is the title to it?

Mr. Mansell.—The title to it is a grant by Lord Howth, made on the 28th December, 1890.

3879. This is what is called the infant school in the report?

Mr. Mansell.—Yes. The Rev. Josiah Crompton had been then incumbent of Raheny, but it was not granted to him. The three trustees are the late John Bellow, the late Sir Benjamin Guinness, and Mr. Law.

3880. There is one surviving trustee.

Mr. Mansell.—Lord Ardilaun has been since regularly appointed by deed. The grant was made by Lord Howth, for the purpose of erecting a schoolhouse for poor children, but no deed of trust was executed. The three trustees proposed to take the ground for building as a site for a schoolhouse for the purpose of affording such children as may attend thereof a sound scriptural education.

3881. Is the same property still held under that deed?

Mr. Mansell.—It is, by a deed dated 13th November, 1874. There is no endowment whatever for this.

3882. How is this school maintained?

Mr. Mansell.—By private subscriptions altogether.

3883. Who are the subscribers?

Mr. Mansell.—Lord Ardilaun and Mr. Law.

3884. Is there any possible objection to the amalgamation of these?

Mr. Mansell.—I would not like to answer that question.

3885. Do you contend that the school under that deed is not within the scope of this Commission?

Mr. Mansell.—I am only telling you that it is vested in private trustees. I would rather Mr. Law and Lord Ardilaun settled the question between themselves.

3886. Rev. Dr. MOLLOY.—How many children get an education there?

Mr. Mansell.—I think about forty. Until very lately there was a schoolmistress, and her husband was in the post office. They had a very large family and the schoolhouse was not large enough for them.

3887. Lord Justice FRYGIESSON (to Dr. Shields).—Do your children go there?

Rev. Dr. Shields.—Some of them. Mr. Law's children go to the school.

3888. But you have no school whatever at Coolock?

Rev. Dr. Shields.—It was closed last year for want of funds.

3889. Is it near enough for your children?

Rev. Dr. Shields.—It is not near enough for every part of the parish.

3890. Where do the children go who would go to your school?

Rev. Dr. Shields.—Our children are very few. There

were only about half a dozen going when it was closed, and they go to the existing National schools now.

3891. Then the nearest Protestant school to your parish would appear to be this Raheny Infant School?

Rev. Dr. Shields.—On that side.

3892. Is there any at the other side?

Rev. Dr. Shields.—No. I think the present arrangement would not suit for the children at the far side of Coolock.

Mr. Mansell.—I am not a trustee of either school, but I have considerable interest in them, as a considerable sum of my money has been invested in building the infant school at Raheny. It was in fact a ruin when I came to the parish, and it is now an extremely suitable building. Lord Ardilaun and I expended about £790, and on the express understanding that the incumbent of the parish would be manager of the school.

3893. Lord Justice FRYGIESSON.—Who is the incumbent of the parish?

Mr. Mansell.—Mr. Hayes. I expected he would be here.

3894. You say that it is practically impossible to revive the parochial school.

Mr. Mansell.—That is so.

3895. Then would it have any good effect to give the Coolock endowment to this school with the houses alongside it, and winterover interest is in the old building, and to put them all under proper management.

Rev. Dr. Shields.—I should think the Coolock endowments might be an advantage to Raheny school, but I think it would be a pity to take away the endowment from Coolock, and give it altogether to that school.

3896. Rev. Dr. MOLLOY.—Could you not put it under the National Board? Is there not material there for two useful schools?

Rev. Dr. Shields.—That endowment is for the purpose of education.

3897. But it is doing nothing at present.

Rev. Dr. Shields.—Simply because the school has been closed for want of funds. There are two National schools in the parish now.

3898. Lord Justice FRYGIESSON.—The only working school at present is this infant school at Raheny.

Rev. Dr. Shields.—Yes.

3899. Suppose the endowments to be amalgamated, including the building used for the Raheny infant school, the amount which is a land endowment, and the £2 or £10 a year which is a money endowment, and all placed under the management of a properly constituted body of laymen and clergy, would you see any objection to the scheme, providing that the money should continue to be applied to the benefit of Raheny School, unless a school was opened in Coolock, and that in this way the property should be made available; in other words to give you an independent power of utilizing those endowments.

Rev. Dr. Shields.—That would meet my views.

3900. Mr. Mansell, what do you say to that?

Mr. Mansell.—I feel some difficulty, because Mr. Law has been in fact the manager of the school for so many years, and I do not know what he may feel. I do not think he wishes this infant school to be taken under the Commission.

3901. Lord Justice FRYGIESSON.—The Commission cannot help what the Act of Parliament has done, and it is clearly under their control. This is one of the cases in which property has become vested in one trust.

Mr. Mansell.—I saw Mr. Law, and he said he was advised the Commissioners have no control over him.

Lord Justice FRYGIESSON.—It is pretty clear we have. We have the deed now. I think the proper course would be for us to draft a scheme, and if he objects he can give notice and we could hear him.

April 12, 1902

Mr. John Mansell.

April, 22, 1886.

Mr. John
Mansell.

Rev. Dr. MOLLOY.—He might like to send in his views in writing.

5902. Lord Justice FRYGIMON.—Dr. Shields, I wish to hear the views of the people who are interested—the parishioners. Could the matter be discussed at your vestry meeting?

Rev. Dr. Shields.—So far as I am concerned, I know nothing about the Raheny school. Mr. Law has never spoken to me about it. It does not come into our Cooleek parochial affairs.

5903. Your children at present have an endowment perfectly useless, and are obliged to attend schools under other management.

Rev. Dr. Shields.—It is not in the parish of Cooleek, and he has never spoken to me about it.

Mr. Mansell.—Mr. Law thinks, I believe, that it was granted as a private trust, and ought not to be interfered with.

Rev. Dr. Shields.—Yes, he thinks it is a private matter.

Rev. Dr. MOLLOY.—If it comes under the Act we must respect the intention of the founder.

5904. Lord Justice FRYGIMON.—In 1839 the Earl of Howth gave the rector of the parish of Raheny a plot of ground for the purpose of erecting a school-house for poor children. This was done, but no deed of trust was ever executed.

Rev. Dr. Shields.—We have the school-house at Cooleek, at the nominal rent of a shilling a year.

5905. Dr. TRAILL.—Have you a caretaker in it?

Rev. Dr. Shields.—Yes.

Mr. Mansell.—I think we might intimate to Mr. Law, that the Commission considers it comes within the Act, and that they propose to settle a scheme. Possibly Mr. Law might then state what his views are.

Lord Justice FRYGIMON.—I may state now shortly what our view of the whole matter is. It appears that there originally was a foundation for education in this parish described as "The Charity School of Raheny." In order of time a school next appears to have been established near the church, on glebe land. Except the site on the church land there is no evidence that it had any endowment. The next step in the transaction was the gift of a very substantial endowment by Mr. Dick, who gave the property known as the Crescent, in Raheny, in which there appears to be a very considerable interest, as an endowment for "the charity school" as then existing, which was the parochial church school, and practically Protestant. From some want of control the schoolmaster encroached on the property of the school-house, annexed and built on some more of the church land, and for a considerable time appropriated the produce, both of the school premises, and of the eight cottages forming the Crescent, besides the post office and dispensary built on the encroachments. After the passing of the Irish Church Act, 1839, the Representative Church Body, in whose the school-house became vested, asserted their title to it, and to the encroachments, and finding a claim set up by the schoolmaster, agreed to pay for his goodwill, I suppose, of the post office and dispensary buildings. This property was lawfully recovered by the Church Body, the school-house as such was discontinued, the site restored to the church, and we have no power now over that property, which has long ceased to be an educational endowment. The eight cottages were also allowed to become dilapidated, and Lord Ardilaun undertook to repair them on getting permis-

sion from the schoolmaster, on the terms that he should have a lien on the estate for what he spent. This he required, I presume, in order to keep a hold on the property to secure its due application. He spent £375, of which £125 remains due, and it will take three or four years of the profit rent to pay it off. He, therefore, is in possession of the endowment as a sort of mortgage under a title which we must respect until the repayment of the cost of the repairs has been secured, but subject to this it is still a school endowment. Lastly, we have the raising school built on the site of an older "infant school" by voluntary contributions exclusively from Protestants. It is fortunate that the children have not been left without that school. Lord Howth's lease declares the trusts on which it is held, viz.:—for the purpose of having a school to be open to poor children of all denominations, but subject to their being willing to receive a sound scriptural education. This condition practically makes it a Protestant school, though not exclusively applicable for any one denomination of Protestants. It is, therefore, clearly an endowment within the scope of this Commission, and one upon which the circumstances make it most desirable that our powers should be exercised. It is wasted now in two surviving trustees, between whom there appears to be some difference of opinion, which prevents the appointment of a third. It is our duty to fill up the number of trustees, and to vest the property in a body fitted to secure the full utilisation of the endowment. We find also a money endowment belonging to the adjoining parish of Cooleek, for which no school-house is now available, for the endowment being denominational is insufficient to maintain an independent school, and the Protestant children of that parish are going to a National school under Roman Catholic management, while the money is accumulating.

Mr. Mansell.—The school was in debt when it was closed.

Lord Justice FRYGIMON.—The endowment is paying off its debts. We thus have a money endowment at Cooleek without a school, a house endowment at Raheny in the hands of a mortgagee, but soon to be available, and we have a school-house and school at Raheny within our jurisdiction, but having no available endowment except the school premises which are valuable and suitable. It will be our duty to assign these three endowments under some management which will secure the rights of all parties as equitably as possible. We will prepare a draft in which we will try to effect this object, and it may be objected to by anyone who thinks it unjust or capable of improvement. We will try to make some provision for Cooleek in return for its endowments, and the trusts of the infant school at Raheny must also be respected. We will do our best to carry out the welfare of the parishioners of both parishes, giving some representation to each. When we draw out our plan the parties will have an opportunity of objecting, and we will gladly have their suggestions for making all the endowments useful for the purposes for which they were designed. The persons really interested are the Protestant parishioners. Their annual Easter meetings are now approaching, and it would be important that some person should bring the matter before each vestry and ask their opinion as to what ought to be done; if any resolutions are adopted in public meeting, after due notice, we will be very glad to have them.

The Commission adjourned.

WEDNESDAY, 14TH APRIL, 1886.

April 14, 1886.

At the Commissioners' Office, No. 23, Nassau-street, Dublin.

Present:—The Right Hon. Lord Justice FRYGEBORN, Judicial Commissioner; and Rev. GERALD MOLLOY, D.D., B.Sc., F.R.U.L., ANTHONY TRILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD BLAIR, Esq., LL.B., was in attendance.

Lord Justice FRYGEBORN.—I may mention before we commence the business of the day, the mode in which this inquiry arises, and also the course that it seems to us it ought to take, with the view of having a practical result with as little waste of time as possible. The present sitting is an adjourned sitting of the inquiry with reference to the Alexandra School and the Alexandra College. These were the most important institutions for the education of women that had come before us in our inquiry, and we were anxious to have the general question of the claims of female education considered with reference to the Alexandra School and Alexandra College, as being a fitting occasion upon which the general question might be conveniently discussed. We had several recommendations from ladies interested in other institutions, and also from ladies interested in the question generally, and they were not anxious that either the case of the institutions with which they were connected, or the general question should be decisively treated with reference to the Alexandra College and Alexandra School alone. Accordingly we adjourned the inquiry to this day in order that they might have an opportunity of putting forward their views. Now, the general question appears to be the claims of female education upon public endowments—with regard to private endowments the considerations are different in each case. Therefore the claims of female education on public endowments would be the general subject to be considered to-day. The first question that occurs is what are the existing provisions, if there be any, and the present needs for purposes of female education. Having ascertained the existing provisions and the present needs, we should be glad to hear from each ladies and gentlemen as to take an interest in it, their proposals as to the better application of any fund that might be available for the purpose. After we have thus ascertained the past position of female education and the present needs, what wants are felt, how they manifest themselves, and what would be the proposals to improve them, there are subsidiary considerations of different localities and considerations of different denominations and different classes. We would be quite willing to hear shortly, representative ladies or gentlemen from the most important localities after we have discussed the general question in a practical way. The Schoolmistresses' Association is represented before us, but we do not limit the inquiry to them, and I have no doubt that the ladies who have been discussing these matters will be able to give us their views on every point.

1890a. Mr. James J. Shaw.—I appear on behalf of the Schoolmistresses' Association. In response to the invitation of the Commissioners, a number of ladies have come up, from different localities throughout the country, and are prepared to give the Commission the fullest information on all the questions proposed, both as to existing female education, as to its needs, and as to the mode in which they propose that any endowments which are available should be applied in the promotion of female education. They have asked me to say a word by way of introduction, and it will now be some time if I state what I gather to be the unanimous opinion of all the ladies from the various localities in regard to the provision for and the claims of female education in Ireland. In the first place, I think it is pretty well known that so far as secondary education is concerned

there is absolutely no provision of a public nature for the education of girls in Ireland. As far as elementary education is concerned they are provided for under the National system of education in the same way as the boys are; and as far as university education is concerned the Royal University has thrown its doors open to women, and so far as these are concerned they consider that a very fair provision has been made. But as far as secondary education is concerned there is absolutely no provision whatever except so far as it is supplied by the Intermediate education system. Now notwithstanding that the Intermediate education system has made provision for the encouragement of the education of girls, the ladies think that there are objections to be urged against it. In the first place there are a great many parents who object to girls going to these examinations at all. Parents generally have no objection to allow their children to compete, but a great many object to girls taking part in examinations at local centres, going from home at certain times, travelling some distance to enter into a public competition, and staying some days away from home while the examination lasts. Again the Intermediate education system is defective in this way, that a centre for examination will not be established in any locality unless there are at least thirty girls to be examined. It has been found in some of the most important centres that thirty could not be got, and since that rule was established, if in some important localities girls wished to go to examination as all they had to go a great distance from home. I am told that there is no centre of examination either at Waterford, Trillick, Sligo, or Dundalk. Therefore it happens that girls who live in these neighbourhoods have to go to a great distance in order to attend the examinations, and the result is that under the Intermediate education system, although of course it was designed to encourage female education as well as the education of boys, a large number of girls have not been able to take advantage of it, and a great number of those who would do so are deprived of the opportunity by the obstacles in their way. I do not think it is necessary for me to say very much about the claims of girls with reference to endowments, because, as I understand, this subject was fully put before the Commission by Mr. Brooke, on the day the case of the Alexandra College was before the Commission. His evidence is on record, and he entered very fully into all the facts and figures, which show that a large number of girls in Ireland are seeking for this secondary education, and the very great success that has attended their efforts up to the present. I am told that the number of girls attending superior schools in Ireland, according to the census of 1881, was 9,190, of those there were in Ulster 4,168; Leinster 2,491; Munster 2,375; and Connaught 205; a very remarkable result. The girls who go to the Intermediate education examinations are not put into any competition with the boys. They are examined independently of the boys, and their relative proficiency with respect to the boys is not brought out at the examinations. But they are examined on the same paper, and on the same standard. It is found that the girls who pass these examinations, as compared with the boys, stand very much higher. I find that in the year 1883 the percentage of those passing amongst the boys was 56.9, and the girls

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1794. In 1884 it was not so great, the percentage of the boys was 65·8. I have got here a table prepared by Miss La Touche, which I think I will put in as part of Miss La Touche's evidence. She finds that there are 237 women who have passed the matriculation examination of the Royal University. The number of male candidates who presented themselves was 3,063, and of these 328 were rejected, leaving the number that passed 2,735. The number of female candidates she finds was 273, of these 38 were rejected, leaving the passes 237, and out of these 237 who passed the matriculation examination of the Royal University, so less than 233 honours have been distributed amongst the 237. The honours show that the subjects which the ladies who have competed at the Royal University have excelled in are not at all confined to what are regarded as the ordinary traditional subjects of women's education; but that they have taken very high honours in branches hitherto supposed to be more exclusively masculine. I find that there were 59 first honours, and of these 11 were for English, 20 French, 13 German, 1 Latin, 1 Mathematics, 1 Experimental Physics, 3 Logic, 1 Biology. In the second year 45 English, 43 French, 4 German, 27 Latin, 2 Greek, 8 Modern Languages, 7 Mathematics.

1906. Rev. Dr. MOLLOY.—Your point is that a larger proportion of those who passed got honours; though the total number of girls who passed was very small compared with the number of boys.

Mr. Shaw.—Miss La Touche tells me that of twenty-four scholarships given since the University was founded, so less than five were taken by women. The scholarships are the highest prizes given to any except the studentships.

1907. Rev. Dr. MOLLOY.—You mean the most valuable.

Mr. Shaw.—Yes; they have got twenty-three exhibitions. I do not know how many were given altogether, but of those they have got twenty-three. I do not think I need pursue that branch of the subject any further. I do not believe there will be any difficulty in the minds of the Commissioners as to what the girls' claims are to educational endowments. I suppose that the chief, in fact the real difficulty will be as to how these claims are to be provided for. I have one word to say as to the view the ladies take in this matter. Under the 15th Section the Act provides that—"in framing schemes provision shall be made so far as can be equitably arranged, and as the circumstances of each particular locality require, for extending to both sexes the benefit of endowments." The view the ladies take of the exception in that section is that the girls are not to be relegated to any surplus that may remain over, if surplus there should be, after the boys have been provided for; for if it be so, taking into consideration the proportion of endowments in Ireland, and the number of boys that would be provided for, it appears to me that if all the boys are to be provided for before the girls' claims come to be considered, there would not be much left. It appears to me that the plain interpretation of the section is that any benefit of an existing endowment is to be extended by the Commission to both sexes so far as is capable of being done, and therefore we contend, not that female education is to be postponed, but that the claims to this education of the girls are only to attach to the endowments after all the claims of the boys have been provided for; but we consider the clear meaning of the section, and the intention of the legislature to be in our favour; if it deliberately rejected the amendment framed for the purpose of postponing the girls' claims, the deliberate intention of the legislature was that the benefit of the existing endowments whether small or great was to be extended to both sexes, and that female education was to be provided for out of existing endowments, and not merely out of some surplus that may arise. Of course it is unfortunate that Irish educational

endowments are not richer than they are. It appears to me that if we have to work with fewer endowments both boys and girls must obtain less, but the girls as to get nothing at all, because there is not so much as we would like to have for the boys. We consider that an equitable distribution of these endowments will take into consideration not exactly the comparative population of males and females, but will take into consideration the comparative number of boys and girls who are seeking for a higher education, that is an education which is higher than a mere primary education. We find that the number of girls who are seeking a higher education is very large indeed. The way in which Mr. Brooke put this matter, was to take the number of women under the last census, entering their living at professional and scholastic colleges, as compared with men; and he found that the number of women was 43,509, whereas men in the same rank were 207,000. And the view of Mr. Brooke is a very fair view, that the education of women so entering the bread requires to be somewhat higher than primary education is designed or intended to be, and that being so, the proportion of the numbers would give a link less than one-third of women as compared with men. However, I think my clients may be perfectly satisfied with any provision you make, if you provide that one-fourth of the whole available endowments is assigned to the promotion of female education. My clients would think that a very fair arrangement, and be perfectly satisfied with it. Now, as to the mode in which the endowments should be applied, I think, as far as I can gather the opinions of my clients, that they are something like these.—If an endowment is a local endowment, that is to say, if it is an endowment confined to the benefit of some particular locality; they are of opinion that the Commission should investigate and ascertain whether in that locality there is a demand for the higher education of females as well as for males, that is to say, if there are a sufficient number of schools in the neighbourhood which that endowment is intended to benefit, and a sufficient number of girls to support a school of the second rank, they think if it is a local endowment, or intended for a particular locality, that at least a proportionate part of it, taking into consideration the circumstances of the locality, and the number of girls seeking a higher education, ought to be applied to the foundation or the support of a girls' school.

1908. Rev. Dr. MOLLOY.—Your claim extends to all public and private endowments so far as they are not restricted by the founders?

Mr. Shaw.—Yes; if the Commissioners feel themselves bound to apply an endowment exclusively to boys we do not think we have any claim, but we would ask the Commission to be extremely careful in coming to the conclusion that there was an intention of the founder to exclude girls.

1909. Rev. Dr. MOLLOY.—That is in the case of private endowments; but upon public endowments you make a claim whatever the original intention might have been?

Mr. Shaw.—Yes; whenever there is a need for a girls' school there ought to be a provision made for the maintenance of a girls' school side by side with a boys' school. There are other endowments also. There is another class which take the form, not of endowment of schools for particular localities, but prizes and exhibitions. We think that girls have a full title to share in any endowment that takes the form of an exhibition or a prize; and so far as I can understand, they are not particular as to whether you assign a particular proportion of these prizes to be exclusively competed for by girls, or throw the whole thing open and let the girls take their chance in open competition against the boys. I think my clients will be perfectly satisfied with either alternative, either to assign out of the prizes founded for the encouragement of education, or any exhibitions or scholarships, a proportion which would be exclusively given to girls in competition

amongst themselves, or throw the whole thing open between the boys and the girls and let them take their chance in open competition. There is a third form of endowment which, as far as I can ascertain, my clients would not object to—that is, that a public endowment should be given on the principle of a capitation grant, and that girls' schools should be included with boys' schools in the application of that endowment; that is to say, that if the Commissioners should come to the conclusion that any public endowment can be made capable of distribution amongst the population on the principle of giving to schools in proportion to the educational work they are doing, the principle should not be confined to boys' schools, but that girls' schools should take rank with the boys' schools in their claim for their share of the endowments distributed on this principle, and in proportion to the work they are doing. They themselves think that a proper system of inspection by qualified inspectors who would see what kind of education was given in the schools, and who would ascertain by examination or otherwise the character of the education given, would be better than public examination; because for the reasons I have already stated there is often a great difficulty in getting girls to go forward to examinations, and great difficulty in getting the consent of their parents or guardians, which does not exist in the case of boys. The ladies who are going to give evidence before the Commission to-day are of opinion that a system of thorough inspection whereby the progress and character of the education given in a school would be ascertained, not on the mere mechanical results of an examination, but on a general view of the school and on seeing how the work of the school was going on, would be a better system, if the Inspectors reported that good work was being done and that the education was of a high character and efficient, the school should be entitled to share in any endowment that may be applicable. This, of course, bears entirely on public endowments, and my clients are of opinion that *Emmanuel Smith's* endowments and the endowments of the Royal Schools should be appropriated on that principle, and that they should get their share of these endowments, that is to say, that girls' schools should have the same claim as boys' and that their share should be ascertained by the work they are doing. We have got a return of what has been done for girls' schools at some of the schools of the English Commission.

5910. Lord Justice FRERGINSON.—We have only what Mr. Brooks gave us?

Mr. Shaw.—This is a further return since that—a return on the motion of Lord Fortescue, dated 16th March, 1884. I shall leave it with the Commission.

5911. Rev. Dr. MOLLOY.—Have you considered the provisions of *Emmanuel Smith's* endowment as to whether there is any limitation which would indicate that it was reserved exclusively for boys?

Mr. Shaw.—I do not think there is. What I want particularly to refer to is this, that while these endowments, both *Emmanuel Smith's* and the Incorporated Society's endowments have given a share to females in their primary system, they never seem to have given a share to them in the higher system.

Lord Justice FRERGINSON.—That is not so with regard to the Incorporated Society; the Incorporated Society really has a great collection of separate and distinct endowments for separate and distinct purposes. They have two very important institutions exclusively for girls, the *Sentry* school and the *Rosehigh* school

at Roscommon. The trusts are separate trusts, although they are administered by one body.

5912. Mr. Shaw.—There is one other matter I wish to refer to. There are certain endowments at present existing, applied to the maintenance of general education, and the Schoolmasters' Association are of opinion that these endowments could be made more useful by being applied to education of a more modern kind than they are at present. I understood that there are certain schools at present in existence which are not doing as good educational work as they ought, and if they were under the control of the Commissioners, they might be reformed in some measure. I wish to mention that we have representatives from all the provinces of Ireland, except Connaught, which is not represented here at all. I am informed that Miss Blythe, who was coming from Sligo to give evidence was taken ill and could not proceed. I find that in Galway there is no school existing at present for female education.

5913. Lord Justice FRERGINSON.—Can you tell us what success the Intermediate Education Board have had in Connaught, or have they had any. You told us there were only 265 girls at school in the whole province.

Mr. Shaw.—There are none in Sligo. The ladies are of opinion that it is extremely advisable there should be a school in Galway, and they think that the West of Ireland should have a girls' school, and that it would be a very useful institution there, especially a boarding school, where girls from other parts of Connaught could come to.

5914. Lord Justice FRERGINSON.—That is very important as regards the existing provisions in each of these places. You have got a considerable number of existing endowed private schools.

5915. Rev. Dr. MOLLOY.—We are not disposed to venture on establishing new schools.

Mr. Shaw.—We do not ask you that at all.

5916. Rev. Dr. MOLLOY.—On those points on which all these representatives agree it is unnecessary to multiply evidence. It would be well if you would examine one lady in full, and the others might point out in what they differ from her evidence.

The Very Rev. Dean Dickinson.—You might wish to direct your examination to one point, upon which as I represent the *Alexandra College*, I may dissent from what Mr. Shaw has said. He has advocated district day schools, and, as I understand him, the establishment of boarding schools throughout the country. I apprehend that this system of boarding schools throughout the country would lead if adopted, to the frittering away of whatever endowments may be available. I then think that as regards boarding schools their establishment is undesirable, and as to giving higher education to a girl in Connaught, why it is giving her a higher education to bring her out of it.

Lord Justice FRERGINSON.—I think, Mr. Dean, to hear the ladies, and to ask them any questions you may wish, will meet the case. With regard to what Mr. Shaw has said, we have no fund or prospect of getting a fund to establish or maintain boarding schools. There are a number of existing boarding schools that have been established by private founders. These we cannot interfere with. There are 4,168 girls receiving an intermediate education in Limerick, as against 2,491 in Ulster, which is perhaps more favourably situated than the other provinces. That number must include a large proportion of girls received at boarding schools.

April 14, 1884.

Mr. James
J. Shaw.

April 14, 1895

Miss Mary McCutcheon.

Miss Mary McCutcheon sworn and examined.

5917. Mr. SKEW, M.P.—You are at the head of a school in Dublin, I believe?—Yes; a school in Rutland-square.

5918. What number of pupils have you in attendance in that school?—112.

5919. How many boarders have you?—Twelve boarders and 100 day pupils.

5920. Will you give us an idea of the number of those 112 who are receiving instruction in the higher departments of education, such as foreign languages and mathematics?—I suppose about fifty.

5921. What proportion of your pupils go to the Intermediate examinations?—A very small number. A great many of them, about fifty, were prepared to go in; of those eleven presented themselves for examination.

5922. Do the parents object?—Yes, they object very strongly.

5923. Rev. Dr. MOLLOY.—What reasons do you think influence the parents in their objections?—I dislike generally speaking the children's health.

5924. Dr. TRAILL.—The objections are increasing?—Yes, rather they are not decreasing amongst a certain class of people.

5925. How many of those fifty would go in?—This year as a matter of fact, we have eleven going in; the greatest number we ever had was twenty-two.

5926. Professor DOUGHERTY.—Would you yourself encourage your pupils to go in?—Ob, certainly.

5927. You find it to be a benefit to your school?—Yes, if they wish to go.

5928. And of course it is a benefit to yourself?—Yes, it would be, if a greater number entered for examination.

5929. Mr. SKEW.—Do you find that it is the best prepared or otherwise of your pupils who do go in to the Intermediate examinations?—Very frequently the best prepared do not go in.

5930. Lord Justice FRANKENBERG.—Is the thing the parents object to the extent of the examination, or that girls should go to a public examination at all?—The objection usually made is that there is over-pressure and consequent injury to the pupils' health.

5931. What system would you propose to ascertain that a school is doing work entitling it to a share of public support?—Inspection.

5932. Rev. Dr. MOLLOY.—Do you think that the programme of the Intermediate examinations is one suitable for girls generally?—Oh, yes, I think it is. Of course there are objections to parts of it.

5933. On the whole you do not think any substantial objection arises from the nature of the course?—No.

5934. Dr. TRAILL.—Do you apply that remark to the programme as it was a couple of years ago, before Greek was eliminated to a certain extent?—No.

5935. Is there a great alteration in the course in consequence?—No.

5936. Lord Justice FRANKENBERG.—I believe the alteration was the introduction of domestic economy and the girls were given botany. No alteration of the programme or change in the items of examination would remove the objections the parents make?—No, what they dislike is to have their girls going to a public examination, and working hard for the purpose of preparing for it.

5937. Mr. SKEW.—You do not think the parents have the same objection to inspection at the school by properly qualified inspectors?—No.

5938. What honours have your girls obtained in the Intermediate Education examinations in the Royal University?—Since 1879 we had 109 passes in the Intermediate examinations, with twenty-seven distinctions; that includes seven exhibitions, a silver medal, eighteen book prizes, and a special prize for English composition in the middle grade.

5939. Rev. Dr. MOLLOY.—We are not to take these

results as representing the full efficacy of your school?—By no means.

5940. Mr. SKEW.—Have any of your pupils gone to the Royal University?—Yes, one of the pupils obtained the degree of B.A., in the mathematical course.

5941. Have you any of your pupils on your staff?—Yes, two of them.

5942. What do you say is your opinion about the founding of exhibitions for girls, to be held in the neighbourhood or elsewhere, as a means of promoting education?—I am not prepared to give an opinion on that.

5943. Rev. Dr. MOLLOY.—Did your pupils who followed the course of the Royal University remain with you while they were preparing that course?—Yes, they were prepared altogether in the school.

5944. Then, in your school, they were prepared for the degree?—Yes.

5945. Professor DOUGHERTY.—Had you to provide any extra assistance in preparing them for the University Examinations?—No.

5946. Lord Justice FRANKENBERG.—What is the staff you have for teaching the 112 pupils?—Five staff teachers and nine visiting teachers.

5947. Are these resident teachers?—Yes, five of them.

5948. And nine visiting teachers for particular subjects only?—Yes.

5949. Can you give us any idea of what the expense of the staff of the school is?—No, I am not prepared to do so.

5950. What are the fees paid by the pupils?—In our junior school for English and French ten guineas per annum.

5951. What is the limit of age for the junior school?—Up to twelve.

5952. What is taught in the senior school?—The same subjects, including classics, mathematics, and natural science. Music is not included.

5953. What would be the charge for music extra?—In the junior school six guineas, in the senior eight guineas.

5954. A girl after twelve, in order to get music, would pay sixteen guineas, and in the senior twenty-four?—Yes.

5955. Mr. SKEW.—I suppose drawing would be extra?—Yes, three guineas.

5956. Would singing be included in music?—No.

5957. Lord Justice FRANKENBERG.—With singing how much would it come to?—It would be six guineas additional.

5958. For singing alone, or singing and music?—Singing alone six guineas extra.

5959. Would you bring in more pupils by giving prizes and exhibitions to the pupils, or extend the teaching more by cheapening it?—By cheapening the teaching.

5960. Rev. Dr. MOLLOY.—You would prefer a grant in aid to the school rather than additional prizes to the pupils?—That would enable a greater number to take advantage of instruction.

5961. Dr. TRAILL.—That is a grant in aid when used for cheapening the fees of the pupils?—Yes.

5962. Mr. SKEW.—Have you got prizes enough in the Intermediate education examination for your pupils?—Yes.

5963. Rev. Dr. MOLLOY.—You spoke of drawing as being an extra subject. As a matter of opinion do you think it desirable that drawing should be an ordinary subject for all girls?—Certainly.

5964. Lord Justice FRANKENBERG.—Do you teach it to all the children?—No, but it ought to be taught to all.

5965. Professor DOUGHERTY.—I suppose you make it an extra subject, because you have to employ a master to come in to teach it?—Yes.

5966. Lord Justice FRANKENBERG.—Do you use the Science and Art Department?—We have done so. We used to have examinations held under it and drawing was put in the Intermediate programme.

5967. Why did you give up the Science and Art

Department!—Because there was a necessity of preparing for the two, and we did not see the utility of sending pupils to both examinations.

5972. Mr. SHAW.—Did the Science and Art Department and the Intermediate Education examinations conflict?—They are held at different times.

5973. Dr. TRAILL.—When you say you would have drawing for all girls, have you not observed great difference in their aptitude as there is in music. Do you teach all the girls in music and all in drawing?—I do not.

5974. Lord Justice FRANKENBERG.—Do you find that drawing is a useful subject, although everybody will not turn out an artist?—I believe a certain amount of it should be taught.

5975. Are the twelve boarders with you, all from different parts of Ireland?—With the exception of two.

5976. In the 160 day pupils is there any large proportion from the country?—Just fourteen day pupils and ten resident pupils.

5977. Then, nearly one-fifth of your school are girls from the country?—Yes.

5978. Do they come from all parts of Ireland?—From all parts, chiefly from Munster and Leinster.

5979. Are they all Protestant children with you?—Yes.

5980. I suppose you have them of all denominations?—Yes. Twenty-nine Protestants, seventy-nine Roman Catholics, three Methodists, and I think one of the Society of Friends.

5981. Rev. Dr. MOLLOY.—How long has your school been in existence?—Since the year 1876.

5982. Can you get without difficulty pupils who pay those high fees?—Yes, but not so readily of late years.

5983. Have you suffered from the exodus to England of pupils: do you find a tendency in your pupils to go to England to finish their education?—Not a great many of them leave. Last year a few went to English schools.

Miss Margaret Parker examined by Mr. SHAW, B.A.

Miss Margaret Parker.

5984. What is the Dundalk Institution?—It is under the Incorporated Society.

5985. What is your own school?—A girls' school.

5986. Where is it situated?—In Dundalk.

5987. How long is it established?—About twenty-five years.

5988. Was it established by yourself?—By myself.

5989. How many pupils have you at present?—I think the average is under fifty.

5990. How many of that fifty are boarders, and how many are day pupils?—Eleven on an average are boarders, and the remainder day pupils.

5991. What course of education do you give?—We follow the Intermediate programme.

5992. Do all your girls prepare for the Intermediate examination?—We follow the programme.

5993. They may not go in unless they wish?—Yes, unless they wish.

5994. Do you find any large proportion of your pupils who object to go in or who do not go in to that examination?—Oh, yes, a good many object to go in.

5995. What do you find to be the cause of their objection to go in to the Intermediate examinations?—They do not like the exertion.

5996. Rev. Dr. MOLLOY.—The mental strain perhaps?—The mental strain.

5997. Professor DOUGHERTY.—Have there been any cases of serious injury from this excitement and strain that we have heard of?—Not with me.

5998. Lord Justice FRANKENBERG.—Do you know whether it is the girls or their parents who appear to anticipate this injurious result. Is it the parents who object, or the girls who do not like it?—They do not object with me at all, but the proof of age is unpleasant.

5999. What would be your idea as regards the application of an endowment in Dundalk for female education?—I do not know what it would do. I could not form an opinion.

6000. Rev. Dr. MOLLOY.—Should you prefer an endowment to be given in accordance with the results of an examination or upon inspection held by an inspector?—I think inspection.

6001. You would be satisfied with inspection?—Yes.

6002. Dr. TRAILL.—Do you mean by an inspection, an examination in the school as distinguished from a public examination outside. I think your objection was to a different examination outside?—It would suit the children better.

6003. Would you be satisfied with an inspection without an examination?—No.

6004. Mr. SHAW.—Is there any other school for girls in Dundalk?—There is.

6005. Do you know anything about the Dundalk Educational Institution under the Incorporated Society?—Yes.

6006. Is it a girls' school?—No, it is a boys' school.

6007. Was it ever a girls' school?—It was a girls' school, but not a high class.

6008. Do you know when it ceased to be a girls' school?—In 1835.

6009. At present what sort of a school is it?—It is for boys.

6010. Dr. TRAILL.—Was it exclusively a girls' school at that time?—Yes, it was a charter school. The girls were admitted free.

6011. Only the primary subjects were taught?—That is all.

6012. Mr. SHAW.—At present there is no endowment of any kind for girls' schools?—No.

6013. This has been transferred from the girls to the boys?—Yes, it has been.

6014. Was it from necessity that the alteration was made?—I cannot say.

6015. Lord Justice FRANKENBERG.—Is there not another school in Dundalk called the Grammar school?—Yes, a boys' school.

6016. Dr. TRAILL.—It is an intermediate school?—Both the Institution and the Grammar schools are intermediate schools.

6017. Rev. Dr. MOLLOY.—Your school is under your own management and control?—Yes.

6018. I find that you also suffer from the want of a centre of examination in Dundalk?—Yes, we had one in years past, but as we could not send in a sufficient number we lost it.

6019. The difficulty of sending in pupils is increased on that account?—This year there is a centre.

6020. Dr. TRAILL.—How many would you send in?—We are sending in about nineteen or twenty-two.

6021. Mr. SHAW.—When there was no centre where did you send them?—I had to take some myself to Newry.

6022. Rev. Dr. MOLLOY.—That involved a good deal of expense?—Yes.

6023. Mr. SHAW.—Have you any objection to tell us your fees. It is chiefly a boarding school, I suppose?—Yes. I would rather not mention the terms.

6024. Dr. TRAILL.—Are the girls divided into two classes?—There is a senior class and a junior.

6025. How many under twelve years?—About twenty. And the rest are from twelve to eighteen.

6026. You have more between twelve and eighteen than below twelve?—Sometimes we have more and sometimes less.

April 14, 1906.

Miss Harriett
A. Martin.

Miss Harriett A. Martin examined by Mr. Shaw.

6033. What is the name of your school?—The High School and Kindergarten.

6034. How is it maintained?—It was established about six years ago by one of the merchants in Cork.

6035. Lord Justice Fitzgerald.—Is that Mr. Goulding's school?—Yes.

6036. Mr. Shaw.—Have you any endowment?—We have none.

6037. When you say it was established by Mr. Goulding, did he provide the building?—He expended about £3,500 on the building, and furnishing the building cost another £500.

6038. There is no income attached to the school?—Nothing except the fees of the pupils.

6039. Where is it situated, Miss Martin?—At Sydney-place.

6040. How many pupils are there attending the school?—At present there are seventy-three.

6041. Is it entirely a girls' school?—No, there is a lower department for kindergarten boys and girls up to the age of ten.

6042. Dr. TRAILL.—How many of the seventy-three are in the lower school?—Fourteen.

6043. Mr. Shaw.—The remainder are attending the higher school?—Yes, fifty-nine.

6044. How many of those girls are instructed in foreign languages?—All in the upper school have, at least, one foreign language, some two.

6045. Do you teach mathematics?—Yes, we do.

6046. And Latin and Greek?—We taught Latin for two terms, but we do not teach it at present.

6047. Rev. Dr. MOLLOY.—Do you teach it according as you find they may want it?—Yes.

6048. Lord Justice Fitzgerald.—Are any of your pupils boarders?—None; we have no boarding houses.

6049. Are any of your pupils lodging in Cork for the purpose of going to you?—Yes, and would live with us if we had accommodation for them.

6050. Dr. TRAILL.—How many girls are at present lodging in Cork in order to get the benefit of your school?—For the last year sixteen, but four of these have left.

6051. Do many go to the Intermediate examinations?—Not so many as I could wish. I have, this year, twenty-five prepared.

6052. Professor DONOVAN.—In what grades?—In all the grades.

6053. How many of the twenty-five would go in for the junior grade?—Four.

6054. How many in the middle grade?—Three.

6055. And how many in the senior?—I have not yet let her.

6056. Lord Justice Fitzgerald.—It would save trouble to read the statement from Mr. Goulding, that has been sent in.—[reads Mr. Goulding's statement.]

6057. Professor DONOVAN.—What is meant by technical education in that statement?—I understand it to mean preparation for any profession or occupation. One prepared to enter a Queen's College in England.

6058. Lord Justice Fitzgerald.—Then we understand from this paper that the school is private property, but the expense is paid by the pupils. What are the fees charged?—For pupils over twelve years three guineas.

6059. From twelve upwards three guineas; how much are they below twelve?—Two and a half in the high school, one and a half guineas in the kindergarten.

6060. What extra subjects have you got?—The only extra is music, £1 15s. a term.

6061. You teach drawing, not as an extra?—Yes.

6062. What is your teaching staff?—One English teacher, one kindergarten teacher, and one modern languages teacher.

6063. Four, with yourself, for the seventy-three pupils?—Yes.

6064. The staff is as small as is compatible with efficiency?—It is small for the amount of work we accomplish.

6055. Rev. Dr. MOLLOY.—Do you find the system of examination of the Intermediate Board satisfactory?—I scarcely know how to give an opinion on that subject. I would prefer having the boys and girls classed equally.

6056. You do not think the programme too exacting for girls?—I do not find it so.

6057. Professor DONOVAN.—What is the nature of the objection entertained by the parents of pupils to the Intermediate examinations?—Sentiment and over-work.

6058. Have you had any experience of any bad effect resulting from these examinations?—No.

6059. Dr. TRAILL.—You never saw softening of the brain?—No.

6060. Rev. Dr. MOLLOY.—Do you share in this objection to your pupils going in to examination?—I do not. I think it better that they should go in.

6061. Lord Justice Fitzgerald.—Where are the examinations held in Cork?—In various buildings. The last was in the Model School. I believe it is one of the National Board's schools.

6062. Professor DONOVAN.—Have any of your pupils gone to the Royal University?—Two, one last year for matriculation and one for first university.

6063. Did she remain at your school?—She still remains with me as a pupil teacher.

6064. Is she still preparing for the Royal University examinations?—She is preparing for the first university examination.

6065. Would the Queen's College admit lady students?—They would, if the ladies would go.

6066. Is the objection on the part of the authorities of the college, or on theirs?—I could not say.

6067. Mr. Shaw.—You do not know of any girl attending at the Queen's College, Cork?—No.

6068. Lord Justice Fitzgerald.—We want to find out your work. You told us there are four teachers besides yourself?—Yes, including the music teacher.

6069. Where were you trained. You are a certified teacher?—I am a certified teacher, from White lands College, Chelsea.

6070. How is your first assistant qualified?—She has a certificate from Trinity College, Dublin.

6071. Do you know where she was educated?—At Rochelle, in Cork.

6072. The third?—The kindergarten teacher; she was two years in the Home and Colonial (now government class) Training College, London.

6073. Who is the next?—The music mistress.

6074. Where was she educated?—I do not know.

6075. You have nothing to do with the appointment of your assistants, that is done by the proprietors?—I am concerned.

6076. Have you any idea of what the expense of the teaching staff is?—I suppose about £400. I forget to mention that we have a mathematical master this last term.

6077. Rev. Dr. MOLLOY.—What mathematics do you teach?—Geometry, algebra, and natural philosophy.

6078. Lord Justice Fitzgerald.—Do any of your staff reside in the school?—No.

6079. Do you yourself?—No, we are all non-resident.

6080. Then it is only a school building?—Yes.

6081. You could not keep boarders?—No.

6082. The salaries amount to £440 a year. All the teachers including yourself are obliged to provide themselves with lodgings?—Yes.

6083. Dr. TRAILL.—Does the £440 include the whole salaries?—Yes, except the music, which is "extra."

6084. Lord Justice Fitzgerald.—You are on the border line between being able to keep the school going and being hardly set?—Yes.

6085. Professor DONOVAN.—Do you find parents objecting to your fees?—They say they are high.

6086. Lord Justice Fitzgerald.—Have you any idea of what the fees in a similar institution in

England, would he?—The middle school is about nine guineas. I do not know what a daily high school would charge; but in the high class, I think about fifteen guineas.

6087. Mr. Allen.—In what way would you like to get assistance?—I think that is in the report that was read just now.

6088. By paying the assistants their salaries?—We could provide a better teaching staff by it.

6089. Lord Justice FRANKLIN.—Where do your children come from; are they all city children?—The city and the suburbs, those residing with friends from the co. Cork and co. Kerry.

6090. They are all children residing close to the school?—Some of them board with friends. We do not recognise a registered lodging house.

6091. But they are residing in the neighbourhood of the school for the purpose of getting education?—Yes.

6092. What other institutions are there in Cork, of a character to compete with yours?—I cannot say. There are Roman Catholic schools, a school kept by a Miss Kelly and by a Miss Malhairs, and then there is the Rochelle boarding school.

Rev. Canon Macnamara examined.

Rev. Canon Macnamara.

(Witness hands in a statement of the seminary called the Rochelle School.)

6101. Lord Justice FRANKLIN.—We will be glad to hear anything you like to add?—That school is principally a boarding school. The attendance at the day school is comparatively small as yet, but they come from all parts of Ireland to the boarding school.

6102. What is the present number?—Fifty.

6103. Do all these pay £27 a year?—All except one, who has come under the new endowment which would reduce the fee for five pupils, but only one has been appointed.

6104. What classes are your pupils from?—Professional and small landed proprietors. They are of the gentry class as a rule.

6105. Are they preparing to support themselves as gentlemen?—That is the object of the institution. I cannot speak as regards the individuals.

6106. What arrangements can you make for starting them in the world?—Sometimes we are applied to, and sometimes they provide situations themselves.

6107. You appear to have three scholarships connected with the school?—They give free education. They are obtained by competitive examination in the school. There is free board and education for successful competitors.

6108. Your statement is that the seminary is strictly a benevolent institution, exclusively intended for Protestant gentlemen and other children of such persons. How are they admitted?—There is a register form of application signed by the clergyman of the parish, and that is brought under consideration.

6109. Who is the manager?—Miss Whately and I, as hon. secretaries.

6110. Any one you admitted would be let in?—Yes.

6111. Have you many applications for admission?—Not now; we used, but for the last few years there has been a great falling off. The difficulty of making the small payment has been in many instances too much.

6112. Dr. TRAILL.—The altered circumstances of the country rather tend to increasing the number of applicants?—Yes, but even the small payments appear to us to be too much for some of the class for which the school is intended.

6113. Lord Justice FRANKLIN.—How was it that the sum of £27 was fixed on?—The trust deed fixed a sum of £20 a year with certain extras which brought it to £27.

6114. Does the stock bring you any interest?—It brings us 3 per cent. when it brings us anything.

6093. Dr. TRAILL.—Are your numbers falling off lately?—Yes, they are not so many as they were this time last year. The falling off is in the winter quarter chiefly.

6094. What number have you?—We have fifty-seven.

6095. In the upper school how is the attendance?—The attendance is better.

6096. Rev. Dr. MOLLOY.—How do you find the kindergarten work?—It is a modified kindergarten.

6097. Have you learned this kindergarten system in England?—I have not. I have a special teacher for it.

6098. Dr. TRAILL.—Under what age do you keep them in the lower school?—Under ten.

6099. Professor DOUGHERTY.—If a grant in aid were given to you, I suppose you have no objection to examination?—I should prefer inspection with examination.

6100. Lord Justice FRANKLIN.—A school examination as distinguished from an examination outside?—Yes.

6115. Dr. TRAILL.—There is only £1,300 of it?—Yes, in Barrow Navigation Stock; the second investment is only completed.

6116. Have you £1,000 in stock?—£1,300 in Barrow stock besides the further sum just completed now. What we wish to do is to increase that benefit if we could.

6117. How is it invested?—I think in some Australian bonds.

6118. Lord Justice FRANKLIN.—Do your pupils go to the Intermediate examinations?—Yes, we generally send up since 1879 between eleven and fifteen. I have heard objections to these examinations, but we do not find them so great.

6119. Professor DOUGHERTY.—Have your pupils gone in for exhibitions of the Government Association? One of them got a National Union scholarship and another got a Trinity College scholarship.

6120. If the pupils of your school were able to win these scholarships, would they be permitted to hold them?—Oh, dear, yes; these scholarships would keep them free for the year in which they were conferred.

6121. We were inquiring into this subject the other day, and we had evidence that this association, which calls itself an association for Ireland, would not permit the holders of this exhibition to attend a school like yours?—I think I remember we applied for the Stewarts scholarship, and, as well as I remember, I do not think it was allowed.

6122. Would it not be desirable to abolish that restriction?—Of course it would; we applied for its abolition.

6123. Lord Justice FRANKLIN.—There was a Stewarts scholarship, one of the Skinner's Company, and one or two others; and one given by Archbishop Trench to the Alexandra College alone. Those who won that could not get it anywhere else.

6124. Professor DOUGHERTY.—Is it the fact that all the scholarships of the Government Association are tenable at Alexandra College only?—All the scholarships of the association.

6125. Rev. Dr. MOLLOY.—Do you find the programme of the Intermediate Education Board suitable for the pupils of your school?—Yes.

6126. Dr. TRAILL.—Do many of them go for the higher prizes?—They learn Latin and mathematics, and have won exhibitions and prizes year after year.

6127. Lord Justice FRANKLIN.—Have you had pupils for whom the £27 was subscribed or made up by benevolent contributions?—We have at the present time several.

6128. What are the sources from which they seek at present to get the money?—From friends of their own.

April 18, 1901.

Mr. William A. Macdonald.

April 14, 1885.

Rev. Canon
Macmahon.

6122. Rev. Dr. MOLLOY.—Do you find that they are able to get suitable situations when they finish their course with you?—Yes, generally.

6130. Lord Justice FITZGERALD.—Do many of your pupils leave Ireland altogether?—Some do.

6131. Dr. TRAILL.—Do they get valuable appointments?—Yes, any of them who have distinctions.

6132. Have you heard what they got?—I have heard of one who got £70.

6133. Rev. Dr. MOLLOY.—With a family in Ireland or England?—In England. Another got £80 in Ireland. In the other case it was a school.

6134. Dr. TRAILL.—One got that in Ireland at £60?—Yes.

Madame
Louise de
Prins.

Madame Louise de Prins examined.

6135. Mr. SKEW.—You are the head of the school in Limerick called the College?—Yes, in Mallow-street.

6136. How many pupils are attending your school?—An average of fifty.

6137. How are they divided?—Have you a low grade and a higher grade?—I have the three grades of the Intermediate.

6138. How are they divided in the three classes?—How many in each grade?—I have none for the senior this year, but I have three for the middle and ten for the junior.

6139. They are all preparing for the Intermediate examinations?—Yes, the whole college.

6140. Do you find a large proportion of those who prepare actually going in?—Yes.

6141. Lord Justice FITZGERALD.—Are any of them boarders?—They are all day pupils.

6142. Mr. SKEW.—Do many of them take foreign languages?—Some of them take French and German.

6143. Do any of them take Latin or Greek?—No.

6144. Or mathematics?—They take mathematics, geometry, algebra, and natural philosophy.

6145. Lord Justice FITZGERALD.—What staff of teachers have you got?—I teach French, and I have four English teachers, besides a German teacher, a mathematical teacher, and a drawing master. I also teach music.

6146. Are any of these resident?—Yes, my German governess is resident.

6147. The school is in your private house?—Yes, in my private house.

6148. You and the German governess reside in this house?—Yes.

6149. Rev. Dr. MOLLOY.—Is she a German lady?—She is a German lady from Bavaria.

6150. Lord Justice FITZGERALD.—Is it fair to ask you what are the fees?—They are very low. £1 10s. a quarter for English and French; music is extra, German is extra, and Drawing is extra.

6151. That would be £6 a year?—Yes.

6152. How much is music?—Two guineas a quarter generally.

6153. And drawing?—Ten shillings a quarter.

6154. And German?—About £1 a quarter. There are very few learning German.

6155. I suppose the great bulk, then, are only learning English and French?—Yes.

6156. In English you include arithmetic and mathematics?—Yes.

6157. Rev. Dr. MOLLOY.—Do you send up many pupils to the Intermediate examinations?—A good many.

6158. Do you consider the programme of the Intermediate Board suitable for girls?—Yes, I like it very much.

6159. Professor DOUGHERTY.—Have you found parents objecting to their children going in to those examinations?—Yes, a good many parents do.

6160. On what grounds?—Some do not like the ladies' ages to be recorded.

6161. What are the other grounds?—They apprehend overpressure, though I do not think so myself.

6162. Lord Justice FITZGERALD.—You do not think there is overpressure?—I do not think so.

6163. Where are the examinations held in Limerick?—In the town hall.

6164. Are the examinations for both boys and girls held in the same building?—No, the town hall is exclusively for girls.

6165. Mr. SKEW.—You have all denominations in your school?—I have, very nearly half Protestants and half Catholics.

6166. Lord Justice FITZGERALD.—What denomination do you belong to yourself?—Catholic.

6167. About half of your pupils are Catholics?—Yes, I have about twenty Protestants and twenty-seven Catholics.

6168. Besides your school, is there any other school in Limerick or the immediate neighborhood for Catholic young ladies?—Yes, we have a convent that takes boarders, and has a day school for the higher class, and a day school for the lower class. Then there are other schools. Two or three years ago one of my governesses set up a school. I think she sent two or three pupils last year to the Intermediate examination.

6169. Have your own numbers kept up?—Yes, mostly always.

6170. Lord Justice FITZGERALD.—There is Miss Fitzmaurice's?—Yes. She teaches girls and little boys also.

6171. "In the city of Limerick there is a great want of institutions for the higher education of girls."—In the present circumstances of the country it is hard to carry them on.

6172. Dr. TRAILL.—Have you religious instruction in your school?—For Catholics, after hours. The children of Protestant clergymen attend my school also.

6173. What class of children come to your school?—I have the best Protestant and Catholic families of Limerick attending my school.

6174. Mr. SKEW.—Have you any suggestion to make as to how an endowment should be made?—I should be very glad if it was made by examination.

6175. Do you mean a public examination or an examination in the school itself?—In the school itself.

6176. That is by an Inspector who would visit the school?—Yes.

6177. You think that the most convenient way?—I do. An endowment is very much needed, because it is hard to support a school.

6178. Professor DOUGHERTY.—What amount of endowment would be of real service to you?—£100 a year.

6179. Lord Justice FITZGERALD.—Might I ask what is the annual expense to you at present of your teaching staff, exclusive of yourself?—I could scarcely answer that question; not that I have any objection, but two of my teachers are unpaid; I give them lessons myself in languages and in music.

6180. Some of your teachers are in fact remunerated by improving their own education?—Yes.

6181. Dr. TRAILL.—Are they being instructed to become teachers themselves?—Yes. I give my German governess £25 a year, and the mathematical master five shillings a lesson. Then I have to pay a drawing master.

6182. Lord Justice FITZGERALD.—Then £100 a year would make a great difference in the remuneration your staff would get?—Yes.

Miss Anne Talbot examined.

April 11, 1895.
Miss Anne
Talbot.

6183. Mr. Shaw.—You have a large school at Tralee, I believe?—I have.

6184. Lord Justice Fitzgerald.—How long is it established?—I opened the school about five and a half years ago.

6185. Is there any other school of this sort in Tralee?—No; I took it from another lady who had it a year and a half, and did not succeed. When I took it there were I understood thirty pupils, but when I took it up I found there were only ten.

6186. Mr. Shaw.—How many pupils have you now?—Fifty.

6187. Where do these fifty come from?—All are in the town.

6188. It is not a boarding-school?—It would be, but I could not undertake it.

6189. They all reside in the town?—They all reside in the town.

6190. Lord Justice Fitzgerald.—Are they all resident in the town independent of educational purposes, or have they come for the purpose of attending school?—I have got pupils from Limerick who come up by train.

6191. Rev. Dr. Molloy.—How far is that?—Twenty miles.

6192. Professor Deane.—Are there any children lodging in Tralee for the purpose of attending your school?—No. I could accommodate boarders. I have got accommodation for five boarders.

6193. Rev. Dr. Molloy.—What should you consider would pay you fairly?—I should be quite satisfied with £30.

6194. Lord Justice Fitzgerald.—Would you undertake to board and educate girls for £30 a year with the help of the day school?—It would scarcely pay I think; from £30 to £35.

6195. Mr. Shaw.—Is there any other school of the same class in the neighbourhood?—None whatever.

6196. What is the nearest?—I know of none nearer than Limerick or Cork.

6197. Do many of your pupils go to the Intermediate Education examinations?—No; I find great difficulty in that.

6198. What is the difficulty?—Not being a centre. Killarney is the nearest centre.

6199. Lord Justice Fitzgerald.—Why is Killarney a centre?—There is a large convent with a large number of pupils there. If we have any pupils to be examined we have to send them to Killarney.

6200. Dr. Traill.—You would have to lodge them there?—Yes.

6201. Mr. Shaw.—You teach the subjects for the Intermediate Education examinations?—Yes.

6202. How many of your pupils are learning foreign languages and mathematics?—Forty-three. Eighteen are learning French, thirty-six music, five German, five drawing, and twenty mathematics.

6203. You do not teach Latin or Greek?—Oh, yes. We have none for girls.

6204. Dr. Traill.—How much mathematics do you teach?—Euclid, algebra, and natural philosophy.

6205. Rev. Dr. Molloy.—What is your teaching staff?—Two sisters and myself.

6206. Mr. Shaw.—What is the qualification of your teachers, have they got certificates?—One has two certificates from Trinity College.

6207. I believe you have got a qualification?—I have not. I was not prepared for teaching.

6208. Lord Justice Fitzgerald.—Do I understand: your two sisters and yourself—the three of you are proprietors, and two of you also teach?—I teach also.

6209. You have not been trained for a teacher?—I never took out a certificate.

6210. Have both your sisters certificates?—One

has, and the other was teaching in Dublin for some time.

6211. Besides your sisters, have you any teaching staff?—No.

6212. Do you divide the subjects between you?—Yes.

6213. How do you make the division?—One sister and I take music. One of my sisters teaches French. I teach French and also drawing.

6214. Have you any visiting teachers?—I have an assistant teacher.

6215. As an assistant pupil teacher?—Yes, she knows French and music.

6216. You have no fixed salaries for your staff?—No.

6217. What religious denominations are your pupils?—They are all Protestants.

6218. Is there any school in Tralee or its immediate neighbourhood for Roman Catholic girls of the same class?—The Convent school. I think the Presentation Convent.

6219. Do you happen to know what number of girls are receiving the higher course of education there?—I have no idea.

6220. Are you a native of Tralee yourself?—I am a native of Killarney.

6221. How long did it take you to work up this school?—I have it only five years.

6222. Did it come to fifty pupils immediately?—Perhaps I had twenty-five the first year.

6223. Is it as high now as it ever was?—I think we had fifty-four.

6224. Do you find any difficulty about getting the fees?—Very great. I have had to reduce them to the very lowest.

6225. What are the fees that you charge, may I ask?—For English, French, and music ten guineas a year.

6226. Rev. Dr. Molloy.—By music you mean instrumental music?—Yes.

6227. Lord Justice Fitzgerald.—Do you teach singing?—Yes.

6228. How much is that extra?—Four guineas a year.

6229. You teach drawing?—Yes.

6230. Is that an extra?—Only ten shillings a quarter.

6231. Is there any other subject extra?—Drawing is an extra—ten shillings a quarter.

6232. Professor Deane.—Have you a drawing master?—No. I teach it myself.

6233. Lord Justice Fitzgerald.—Of what class are the parents of the children attending your school? Principally professional people and also the better class of shopkeepers; principally, I should say, the better class of shopkeepers.

6234. Professor Deane.—Have you children of all Protestant denominations?—Yes.

6235. Lord Justice Fitzgerald.—I believe there is a considerable variety of religious denominations in your school?—Yes, but we never make any distinction.

6236. Professor Deane.—Do you find objections on the part of parents to your pupils attending the examinations of the Intermediate Board?—Yes, particularly on account of the distance of the centre.

6237. You had no complaints of over pressure?—Yes, I had. I had a pupil removed; but I think it was imaginary a good deal.

6238. Lord Justice Fitzgerald.—Do you find that the overpressure is complained of where there is no great amount of intelligence?—I am afraid so. I think the complaint of overpressure generally occurs where there is an only child.

6239. Have you any idea of whether there are any great number of girls in Kerry who could get a

April 18, 1888.

Mrs Anne
Tillot.

boarding school education in Trales 1—If I could afford to take them at a reasonable sum, I could get a good many boarders.

6240. It appears to me that when you put it down at £30 they should get money help 1—They wanted me to take £30; £20 and £20 is what they offer.

6241. Rev. Dr. MOLLOY.—Are there any large educational establishments in Trales but yours?—None. There is a convent school, but the pressure of the times has hindered us more than anything else.

6242. Is that an intermediate school or a primary school 1—An intermediate school.

6243. Dr. TRAILL.—How would you prefer money to be granted 1—I should think exhibitions would be very good.

6244. To enable a greater number to get higher education 1—In some way to assist in teaching.

6245. Rev. Dr. MOLLOY.—Should you prefer that

money should be given in the form of endowment to the school, or in the form of prizes to the pupils—which of these two should you consider better 1—An endowment to the school.

6246. Dr. TRAILL.—Would you consider it better that the pupils should get it, or that you should put it 1—I should say an exhibition, or a sufficient sum given to me to enable me to get an assistant.

6247. Rev. Dr. MOLLOY.—When you spoke of endowments to pupils, perhaps you had before you mind the case of boarders 1—Exactly.

6248. Dr. TRAILL.—Would you be better satisfied to have an examination of the school by an inspector, than an examination in public 1—I should have no objection to an inspection.

6249. Would you have any objection to an Inter-mediate Board examination also 1—I should prefer it in the school.

Miss Elizabeth
M. Smith.

Miss Elizabeth M. Smith examined.

6250. Mr. SHAW.—You have a girls' school at Waterford 1—Yes.

6251. What number of pupils have you 1—Fifty-two.

6252. What grades are they as far as education is concerned 1—We have no centre in Waterford; Kilkenny is the nearest centre.

6253. Any girls you send for examination should go to Kilkenny 1—Yes, we suffer under great disadvantages in Waterford, as we have no centre.

6254. Dr. TRAILL.—Are there not enough of girls at school in Waterford to supply the number 1—There is not in my school, but there is a large boarding school, the Ursuline Convent, where they do not prepare for the Intermediate examinations, and consequently we have no centre.

6255. Lord Justice FITZGERALD.—Without the assistance of the Catholic school to form a centre there are not enough of Protestants 1—No.

6256. The nearest place to which you can go is Kilkenny 1—Yes. I have taken seven or eight to Kilkenny, but it cost very much.

6257. How were they able to get up a centre in Kilkenny 1—The Convent school supplies a large number. They have a Loreto Convent there.

6258. Mr. SHAW.—They send in their girls from the Convent school at Kilkenny, and the Waterford Convent does not 1—Yes, the Ursuline Convent does not send girls in.

6259. Lord Justice FITZGERALD.—Whether there is to be a centre in such towns as Waterford and Trales depends on whether the Convents will send pupils for examination or not 1—It does.

6260. Mr. SHAW.—I suppose you find that a practical prohibition to your going in for examination 1—Yes, we tried it.

6261. Lord Justice FITZGERALD.—Have you prepared girls for the two Trinity College examinations 1—We have prepared twice for Trinity College, Dublin.

6262. Dr. TRAILL.—Were they successful 1—Very successful.

6263. Lord Justice FITZGERALD.—I see that before 1883 you sent up pupils 1—Yes.

6264. I observe that in 1883 you sent up nine, and of the nine two got prizes 1—Yes.

6265. Mr. SHAW.—Do you find any other objection to the Intermediate examinations, except the distance 1—No other objection.

6266. What subjects do you teach 1—English, French, German, Latin, music, singing, drawing, and mathematics.

6267. What branches of mathematics 1—Euclid and algebra.

6268. Could you give any idea of what number of pupils are learning Euclid and algebra at present out of the fifty-two 1—Not more than three.

6269. How many are learning German 1—Seven.

6270. And the bulk of them take French and English 1—Yes.

6271. Would you have any objection to state your ordinary fees and extras for day scholars 1—Six guineas a year for English; in the case of two members of a family I should reduce the terms. Music is extra six guineas, French two guineas, German two guineas. Latin two guineas a year.

6272. Lord Justice FITZGERALD.—You yourself teach 1—Yes.

6273. How many assistants have you 1—Three: the house, and one visiting—four altogether.

6274. Are they certified teachers 1—Yes, the German teacher has a diploma.

6275. And the other two 1—One, the Glasgow University—Queen Margaret's College in connection with the Glasgow University. The third is an English girl: she has got no distinctions.

6276. Were you yourself trained as a teacher 1—No, I have been at school in Waterford. Up to the time there was no public examination that I could go in for.

6277. Are you a native of Waterford 1—Yes.

6278. Rev. Dr. MOLLOY.—Do you find the programme of the Intermediate Education Board satisfactory for girls 1—Quite so.

6279. If you had a centre in Waterford you think a good many of the pupils would go to the examination 1—I am sure they would.

6280. Dr. TRAILL.—How would a money grant be best allocated 1—I should prefer an exhibition to assist them to continue their education.

6281. Lord Justice FITZGERALD.—That would be an exhibition similar to those in the Alexandra College, which should be taken out in teaching, so as to be an endowment for the school, and a means of education 1—That is what I would prefer.

6282. Professor DOCUMENTY.—Would you have any objection to a grant in aid to pay your teachers 1—No.

6283. Dr. TRAILL.—Would you prefer an exhibition to that 1—Yes.

6284. Rev. Dr. MOLLOY.—You reduced your fees as low as you could 1—I have been obliged to do so.

6285. You find it difficult to get the fees in 1—Yes.

6286. Lord Justice FITZGERALD.—Are all your pupils from Waterford itself 1—There are eight boarders: one from the neighbourhood of Waterford. She boarded with me because her parents were dead. Others come from different places, some from the county Waterford, and I have some from Cork and Fermagh, Wexford, Kilkenny, and Tipperary.

6287. Dr. TRAILL.—What are your fees for boarders 1—Forty guineas a year for board and education.

6288. You do not charge any extra to boarders who pay fifty guineas?—No, except darning.

6289. Then, for this forty guineas boarders receive instructions in singing, drawing, and music?—Yes.

6290. You cannot have any profit after providing teaching and reasonable board for forty guineas?—No.

6291. Dr. TRAILL.—How many have you accommodation for?—Twelve in addition to the governors.

6292. How many years have you had the school?—Twenty-four years last February.

6293. Professor DOUGHERTY.—Have you any educational endowments in Waterford?—None for girls.

6294. You have an endowment of Bishop Foy's?—That is for boys.

6295. Would it not be possible to extend the benefit of that endowment to girls?—I think it ought. It might be possible.

6296. Lord Justice FITZGERSON.—There is another school for boys—the Diocesan School?—Yes.

6297. Rev. Dr. MALLON.—What is the religious

denomination of your pupils?—Protestants of all denominations.

6298. Lord Justice FITZGERSON.—The Catholics go to the convent school?—They do. I have one or two coming to me for special classes—French and German.

6299. Lord Justice FITZGERSON.—There is a little endowment—the Bine School—in Waterford?—Yes. It is for girls, but it is primary.

6300. Professor DOUGHERTY.—Bishop Foy's Endowment is for fifty poor children, not necessarily fifty poor boys?—I am very glad to hear it. I should be glad to get a little of it.

6301. Dr. TRAILL.—Would your children come under that class of poor children?—They would not.

6302. Professor DOUGHERTY.—I understood you to say you would prefer an exhibition which would enable children to get their education free?—I am sure it would add to the number attending the school.

6303. Dr. TRAILL.—You would not object to a number of free pupils?—If they were promising girls I would not object.

Mrs. Margaret Byrne, Principal, Ladies' Collegiate School, Belfast, sworn and examined.

Mrs. Margaret Byrne.

The witness read and handed in a printed statement.

6304. Lord Justice FITZGERSON.—You told us you commenced your educational experience in Cookstown?—Yes.

6305. That is a town of something under 4,000 inhabitants?—Yes.

6306. Is there any large class of resident gentry in the neighbourhood?—There are very few in the neighbourhood.

6307. A private day school you commenced?—Yes, a private day and boarding school.

6308. What is your view of sustaining or maintaining schools in towns of that class?—I think it is most important to maintain schools in such towns, but there is a great difficulty about maintaining them. The great difficulty is the keeping up of sufficient numbers. If you gave a stipend for a great many people ought to unite for a good school. In my opinion if you require a certain number, that will stimulate people to send their children to a good school once it is started.

6309. You believe all we can do in that direction is to make a rule, that a school in order to share the public endowment should be a school of a certain size?—Yes, exactly.

6310. What size of school would be sufficient to bring it at once all of sufficient importance and leave out those which are too small?—I think the lowest limit should be fixed at seventy.

6311. We have had evidence from Tralee and Waterford also to-day. If seventy was fixed as the limit these schools would be excluded?—But you see in these there are sisters, and they have not to employ or pay teachers. I would certainly not be in favour of having the limit less than seventy.

6312. Yes, but in those towns they would not be able to gather together a school of seventy?—They do not say anything about their private income.

6313. If seventy was fixed as a limit it would apparently exclude towns like Tralee and Waterford?—I would go down as far as the endowment would allow.

6314. How many pupils had you in Cookstown?—Sixty-five.

6315. Fifteen boarders and about fifty day pupils?—Yes.

6316. If you put it to the Cookstown people that they would get a share of the endowment if they raised the number, do you think they would do so?—Yes.

6317. Dr. TRAILL.—The population about Cookstown is Protestant?—Yes.

6318. In every place where there was a mixed population like Limerick, do you think the school would reach the limit of seventy?—Yes.

6319. Mr. SLOAN.—Would not many of the pupils be getting a primary education?—Yes.

6320. Now, suppose you said that no school should get it except whose fifteen or twenty were learning foreign languages and the higher mathematics—would not that be a better test?—Yes, one thing going into any good public examinations would be a fair test.

6321. Lord Justice FITZGERSON.—Coming now to your Belfast experience, could you give any idea of the expense of maintaining a teaching staff in a large school like yours?—My teaching staff costs £1,305 a year for salaries for teaching.

6322. It does not include yourself?—No.

6323. For that expenditure in teaching what was the number of pupils last year?—250. I think it was 255 I sent you in my report.

6324. So the cost of teaching is about £5 a head all round. Do you think that is a sufficient sum of money?—No.

6325. How much would you consider would be sufficient, per head, for a school of fifty, then, if in your school of 250 your staff costs £5 a head, and that is insufficient. Would not the teaching staff for a smaller school than yours cost more per head? Could it be done for £5 a head?—If they had the same teaching power as I have they could not do it and pay rent, taxes, &c.

6326. Take a school of fifty children at £5 a head the teaching would come to £250. Could a staff adequate for such a school be provided for that?—I do not know; I do not think so.

6327. Dr. TRAILL.—The number of subjects taught in your school necessitates the employment of a large number of teachers, and that brings up the cost?—Yes.

6328. Professor DOUGHERTY.—Of course the more advanced the pupil is the greater is the cost of the instruction?—Yes, the cost of providing teachers for advanced pupils is very great, the junior Intermediate school does pay.

6329. Dr. TRAILL.—Then in fact the junior pupils pay best?—Oh, yes.

6330. And do not the day pupils pay better than the boarders?—Yes.

6331. Lord Justice FITZGERSON.—Do you find the fees you get from the Intermediate equal to the extra expense incurred by preparing pupils?—No, I do not. I give the result fees to the teachers although the extra teaching costs me a great deal. But, I do not consider that, but the educational results gained.

6332. Do you find the teaching stimulated by the Intermediate examinations?—Yes, very much.

6333. The capital outlay upon the buildings came to £7,000?—It did.

6334. That sum provided the whole of the accommodation for the 250 pupils?—Yes.

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Mrs. Margaret
Byers.

6335. Do you regard that accommodation as adequate?—Yes.

6336. I see that it is a substantial but plain building, with no architectural waste about it?—No.

6337. Was this sum entirely the proceeds of teaching?—Yes. When I had a smaller school the profits were much higher, but I wanted to give girls improved education.

6338. Why was the smaller school more profitable to conduct?—The expenses increased enormously as girls' education improved.

6339. But of course the number of pupils increased too?—Yes, but that did not make up the difference. More servants are required for a large school too.

6340. Dr. TRAILL.—A large school is not so much under your control?—Yes.

6341. You are not able to look so well after all its details?—No.

6342. Lord Justice FINGERTON.—Could you tell us what is the cost of the boarders?—Thirty guineas a year and education afterwards.

6343. You charge for board and then you have education fees besides, the same as in English schools?—Yes. Twenty-seven guineas for girls under eleven, and thirty guineas for girls over eleven and education fees afterwards.

6344. Do those figures represent what the girls actually cost you?—I could not live on the boarding school alone, and keep up my present teaching power.

6345. You take the two together?—Yes.

6346. How many boarders have you?—Forty, and they cost me what I charge to maintain them properly.

6347. Professor DOUGHERTY.—Is there a special allowance for daughters of clergymen?—Yes.

6348. Clergymen of all denominations?—Yes. I have given them one half their fees. This is a circumstance this Commission ought to know, because I think that help is nowhere so much wanted as among girls of this class. I give them reduced fees, but think I should not be called upon to do so.

6349. Lord Justice FINGERTON.—Do you give any free admissions?—Yes. Of course I personally select the girls.

6350. Rev. Dr. MOLLOY.—This giving free admissions, and admissions at reduced rates is of course voluntary on your part?—Yes.

6351. Lord Justice FINGERTON.—You say you should not be required to do that, but that it should be done by public endowment?—Yes.

6352. Rev. Dr. MOLLOY.—But you are not required to do it. It is entirely voluntary on your part?—I should not have to do it.

6353. Lord Justice FINGERTON.—Are all these 250 pupils from Belfast?—No, they are from all parts of Ireland.

6354. Besides boarders do any considerable number not live in the town?—About sixty in all. Some come up by train, and others from a distance stay in Belfast with friends.

6355. Professor DOUGHERTY.—A disinclination on the part of parents to send their girls to the Intermediate examinations has been spoken of. Do you experience much difficulty in that way?—Yes, there is a prejudice—an undefined prejudice against sending girls up to the Intermediate examinations. This is partly on account of the age. Girls are very often sent too late to do anything for the Intermediate and then again there is a kind of prejudice against the publishing of the names.

6356. Professor DOUGHERTY.—That prejudice, I should say, exists mostly among parents who do not expect their children to pass?—Yes; we do not find the same prejudice against Cambridge or other places.

6357. Lord Justice FINGERTON.—Are the children able to sustain the pressure upon them of preparing for examinations without detriment?—Yes.

6358. Have you any cases of girls who have suffered from over-pressure?—None. They would sustain more injury by idleness.

6359. Idleness is more wholesome than illness, you think?—Yes. Of course we are careful not to allow any over-pressure.

6360. Dr. TRAILL.—What recreation have the girls?—We have a very fine gymnasium.

6361. Have you a teacher?—Yes.

6362. Gymnastics are dangerous unless conducted by a teacher?—Well, they are not boys' gymnastics which are practised.

6363. Professor DOUGHERTY.—Have you experienced any advantage from the adjoining Queen's College?—The college authorities are exceedingly courteous and civil, but the parents of the girls do not seem to like the classes—they object to the mixed classes. The professors are too much overworked to give us any separate help.

6364. Dr. TRAILL.—At your evening classes?—Day classes.

6365. Professor DOUGHERTY.—Is there a tendency therefore to fall back more and more for University teaching upon higher schools for girls like your establishment?—Yes.

6366. Rev. Dr. MOLLOY.—Do you consider the programme of the Intermediate Board satisfactory for girls?—Yes; I think it important to have a high standard and to keep it up. We had no standard in girls' schools before.

6367. Would you be in favour of a different programme for boys and girls?—No; I think the programme should be the same.

6368. An attempt has been made to modify the programme for girls—to make it more suitable for them—do you think the attempt successful?—I do not think it is. There is very little change, but I would prefer to see the two classes equal.

6369. Dr. TRAILL.—Do you send up girls for Greek and Latin?—Very few. Girls do not take Greek often, but still I like to have it as the programme.

6370. You would not like to see Greek done away with?—No.

6371. Lord Justice FINGERTON.—How many of your girls passed in Greek?—Only two or three, but some of them passed with merit, and it is evidently being more availed of by girls. Many girls, more especially clergymen's daughters, are taught it at home with their brothers.

6372. The question next comes how to provide higher education, except through boarding schools in towns like Dublin and Belfast?—Well, in country schools there might be exhibitions.

6373. Dr. TRAILL.—Would it be in accordance with your views that in small country towns there should be exhibitions, the holders of which were to go to Alexandra College?—I think you should allow parents a choice.

6374. Rev. Dr. MOLLOY.—That would be better for the Ladies' Collegiate School?—I would be in favour of giving the parents a choice—the public would soon find out the best school.

6375. The Dean of the Chapel Royal.—Do you not think it should be so arranged that the Presbyterian children would go to Belfast and the Church children to the Alexandra College?—I think the girls' parents have a perfect right to select whatever place they please, provided the Commission is satisfied with the efficiency of the school.

6376. Lord Justice FINGERTON.—To what extent is your school denominational?—I had 183 Presbyterians when I sent in my report—I have 187 now; 45 Episcopalian, 13 Unitarians, and 9 Methodists and Roman Catholics.

6377. Professor DOUGHERTY.—Are those boarders?—No; I have 45 boarders, and of these 20 are Presbyterians, 7 Methodists, and 8 Episcopalian. They all attend their respective churches.

6378. Do you find any difficulty in carrying on a mixed boarding school?—No.

6379. Does each girl attend her own place of worship?—Yes.

6393. You teach all religious denominations?—

Yes.
6394. The *Dean of the Chapel Royal*.—Do you teach religious teaching?—That is so. The children of your church, Mr. Dean, are prepared for confirmation. I refer to boarders. Our teachers are of various religious denominations.

6395. Dr. TRAILL.—Do you provide daily religious instructions?—Not denominational.

6396. Lord Justice FRANKLIN.—Is it required?—Is there, in fact, any demand for it?—No; certainly not.

6397. Dr. TRAILL.—Where do they get the catechism then?—As a rule the boarders get it before they come to me.

6398. The *Dean of the Chapel Royal*.—When do they get it?—On the eve of confirmation.

6399. Lord Justice FRANKLIN.—Do the clergy of each denomination visit your school often?—No; they come to prepare children for admission to the church, but they have no daily attendance.

6400. Dr. TRAILL.—When they are preparing the children you give them all necessary accommodation?—Yes; I give them a separate classroom.

6401. Professor DOUGHERTY.—There is no demand for more religious instruction?—No.

6402. Mr. Stann.—Have you Sunday schools?—Yes.

6403. Who teaches?—I teach myself.

6404. Lord Justice FRANKLIN.—Are you a Presbyterian?—I am.

6405. What other schools of the same class as yours are open in Belfast for higher education?—Well, there are those kept by Miss Reid, Miss Hunter, Miss Sturdy. There are others I cannot remember just now.

6406. Rev. Dr. MOLLOY.—Have you considered the propriety of the endowments which you believe ought to be given for female education?—I have not considered that.

6407. Professor DOUGHERTY.—Do you regard the endowment of the Royal schools as a provincial endowment?—I regard it as an Ulster endowment.

6408. Is that the prevalent impression in the North?—Yes.

6409. Dr. TRAILL.—And there is nothing in the original charter limiting the endowment to boys?—So we have heard.

6410. Do you think any of the schools proposed to be abandoned could be utilised for girls?—I have not thought about that at all.

6411. The *Dean of the Chapel Royal*.—If I might ask a question, I would like to know what provision will Mrs. Byrnes make for continuity of government if this school comes into parallel with Alexandra College.

Lord Justice FRANKLIN.—Mrs. Byrnes's idea is that all schools of a certain size and a certain degree of efficiency should have a claim upon the public endowments. If this scheme could be adopted, a school of a high standard would have, of course, a much better share than a school of a lower standard; and schools which declined would, in proportion to their decline, get a reduced share.

6412. The *Dean of the Chapel Royal*.—But would not some guarantee be required for the continued efficiency of the school?—Would mere examinations be deemed a sufficient test.

Rev. Dr. MOLLOY.—The endowments would be distributed in accordance with the results of inspection and examination in each school. The inspection would

take in all that regards the buildings and the material appliances of education, the teaching staff, and the numbers of pupils in attendance; the examination would test the efficiency of teaching.

6413. Professor DOUGHERTY.—With regard to the number of children receiving secondary education in Leinster and Ulster—there are 4,163 in Leinster and 2,491 in Ulster. You gave us before some interesting figures as regards the results fees, can you tell us again what they are?—In Leinster £439 was received in results fees and in Ulster £632 was received last year.

6414. These figures show that the number receiving efficient education is larger in Ulster than in Leinster?—Yes.

6415. Dr. TRAILL.—What are they in Munster?—I really do not know. I think it is in the Intermediate report.

6416. Lord Justice FRANKLIN.—The evidence goes to show that there is a larger proportion of the children of Ulster receiving Intermediate education than in any of the other provinces. Was there a centre at Cookestown?—That school of Cookestown was obliged for two years to give up the Intermediate examinations because they could not get a convenient centre. I speak from memory, but I believe there were thirty boys, and if they had arranged it, fifteen girls from that school might have been examined there. If they had been examined there the parents would have had no objection. When there was no centre the teacher had to go with the pupils to Belfast, or some other large town, and board and lodge them there.

6417. Where there was an insufficient number of girls to form a centre, would you be in favour of the boys and girls being examined together under one superintendent?—Not as a rule. It could be done in a small place like Cookestown, but in Belfast or large places it would not be advisable.

6418. It is not needed in large places?—In Banbridge the girls have to be sent away to one centre, and the boys to another centre, although both are taught in the same school.

6419. Professor DOUGHERTY.—Although they are taught in the same school?—Yes, and I think it was the same in Newry.

The *Dean of the Chapel Royal*.—Banbridge school is not a joint school. The two departments are altogether distinct.

6420. Professor DOUGHERTY.—Whether Banbridge is so or not, I am aware that in small schools boys and girls are taught side by side.

Witness.—At the time I refer to girls and boys were taught together in Banbridge.

6421. Mr. Stann.—Are the convent schools in Ulster withdrawing from the Intermediate?—No, on the contrary a very great many go in and achieve splendid results.

6422. Dr. TRAILL.—You propose to be a denominational school, I understand, under the new constitution you propose?—Not unless it is insisted upon.

6423. Professor DOUGHERTY.—You thought it was necessary that it should be so?—Yes.

6424. Dr. TRAILL.—But you would prefer it to remain as it is?—Oh, yes.

6425. Lord Justice FRANKLIN.—You would leave it optional for schools to be denominational or undenominational, and you would allow each according to the secular work done, to compete for the State endowments?—Yes.

Miss McKILLIP, Londonderry, sworn and examined.

Miss McKILLIP.

6426. Lord Justice FRANKLIN.—You are principal of the Ladies' Collegiate School, Londonderry?—I am. (Witness here reads statement.)

6427. Rev. Dr. MOLLOY.—What is the total number in the school?—One hundred and two.

6428. Lord Justice FRANKLIN.—What are their ages?—The ages are from three to twenty one.

6429. Have you any Kindergarten?—Yes. They are learning French and German in it.

6430. Mr. Stann.—Are the children of three learning French and German?—We have very young children learning them. The mistress is a German.

6431. Rev. Dr. MOLLOY.—I suppose they learn elementary geometry in the Kindergarten?—Yes.

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6419. How is that committee you speak of in your statement selected?—It is merely a consulting committee.

6420. Appointed at your own discretion?—Yes.

6421. Lord Justice Fitzgerald.—You estimate the expense of your building was £2,000?—It was almost that. I am not quite sure about the exact amount, but the cost of the building came to about £1,500, and the furnishing, &c., brought it up to nearly £2,000.

6422. Was this sum entirely derived from the profits of teaching?—No.

6423. You invested money of your own not derived from teaching, in it?—Yes.

6424. What are the fees?—For the regular course, English, Latin, and Mathematics, a guinea a quarter; a guinea for French or German; or a guinea and a half for the two. For music, a guinea.

6425. What is the School of Art?—The regular School of Art in connexion with South Kensington.

6426. And your girls attend there?—Yes.

6427. Do you teach it at your own expense at all?—No. We teach a little painting, not worth speaking about.

6428. Do you not find it interferes with the work of the school, sending pupils down?—Yes, slightly.

6429. Dr. Traill.—What are the hours there?—From half past eight to ten, three mornings in the week.

6430. Mr. Shaw.—How many take drawing?—Sometimes more and sometimes less.

6431. Lord Justice Fitzgerald.—Your regular course is English, Latin, and Mathematics—French is an extra?—Yes, but almost every one learns it.

6432. What is the fee for that yearly?—Six guineas per annum, but for a great many who are preparing for teaching there are reduced fees.

6433. Where you speak of reduced fees, how do you admit pupils at reduced fees?—Those who are preparing to become teachers are admitted on reduced fees.

6434. What are the reduced fees?—Oh, of course they vary.

6435. What proportion of your pupils are at reduced fees?—I could scarcely tell. There is a considerable class going in for teaching.

6436. Then there are a large number to whom any reduction would be a personal advantage?—Yes, there is a large class.

6437. Do you find it difficult to induce young ladies to continue their studies for the higher examination?—They would not do it at all were it not for the help of scholarships.

6438. Is the Girton scholarship sufficient to maintain a girl?—No, the fees alone are £105.

6439. A girl going to Girton has to pay fees to the amount of £105, and has to clothe herself, and to maintain herself during the holidays, and pay her travelling expenses. The scholarship gives her £50 a year towards it. No girl can go through Girton, I suppose, unless she can afford to pay £50 or £70 a year?—That is so.

6440. Professor DOUGHERTY.—That, of course, considerably restricts the competition?—Yes.

6441. Rev. Dr. MOLLOY.—In three cases your pupils obtained Girton scholarships?—Yes. One of the girls took 85 per cent. in Latin, and 90 per cent. in Greek.

6442. Had she gone up the preceding summer for the Intermediate Examinations in Ireland?—Yes.

6443. Lord Justice Fitzgerald.—Do you find that a girl who distinguished herself at the Intermediate, distinguishes herself at Girton also?—Yes.

6444. Rev. Dr. MOLLOY.—Do you find she takes a higher place at Girton than at the Intermediate?—Yes.

6445. Lord Justice Fitzgerald.—Do you consider the Intermediate results a test of really bona fide genuine knowledge?—They are absolutely good.

6446. Rev. Dr. MOLLOY.—The girls who presented themselves at the Intermediate, at Cambridge, and at Girton, do you find they were more successful at the two latter than at the Intermediate?—Yes.

6447. Mr. Shaw.—Those who succeeded at the Intermediate, did they also succeed at the Royal?—Yes. One of our Intermediate girls there took second place in Ireland, and a scholarship in Cambridge, in the following year.

6448. Rev. Dr. MOLLOY.—Do your girls come chiefly from Derry?—No. At present we have forty-eight or fifty-nine boarders from various parts.

6449. Chiefly from Ulster, I suppose?—No, more from the south of Ireland than from Ulster. We have some also from Scotland, and some from England.

6450. What is the fee for boarders?—(Document containing fees handed in.)

6451. Lord Justice Fitzgerald.—I see you have an exclusively board fee?—Yes. It could be arranged the other way though.

6452. I see the fee is for girls under ten, £35, over that age, £50. You do not think a girl could be properly maintained for less?—It would be very difficult. There is not much to be made from it as it is.

6453. Is that the lowest fee you could board them at without loss to yourself?—I have not so much to do with the boarding as with the teaching.

6454. Have you any boarders at reduced fees?—Yes, student teachers.

6455. Rev. Dr. MOLLOY.—They give you assistance in teaching?—Yes, such as it is.

6456. Professor DOUGHERTY.—You do not believe in the teaching of pupil teachers?—No.

6457. Rev. Dr. MOLLOY.—It is an advantage to them?—Yes, but not to us.

6458. When do you say the school was established?—In 1877.

6459. Lord Justice Fitzgerald.—There are yourself and your two sisters. Do you all teach?—One of my sisters does not teach, but the other and myself are constantly teaching, together with assistants.

6460. Do you find any practical bad results follow from lengthened strain on the pupils?—Their health is the first consideration always, and we take good care of that.

6461. Rev. Dr. MOLLOY.—Do you find your examinations are efficient?—Yes. I think with Mrs. Byers that industry is better than idleness.

6462. Lord Justice Fitzgerald.—I see that in 1880 one of your girls obtained, in the middle grade, a gold medal for English, and also a silver medal. She won £30 that year. In 1879 she got fourth place, and a £20 exhibition. In 1881, at the Royal University examinations, she got a £12 exhibition and senior grade medal and other prizes, receiving in all £50. And in 1882 the same young lady got the Girton scholarship of £50 a year for three years. Where is she now?—In Leeds High School.

6463. Dr. Traill.—Is she going to be a teacher?—She is a teacher—a science mistress.

6464. Lord Justice Fitzgerald.—Another young lady of yours got the junior grade silver medal for Latin, in 1880, at the Intermediate. She also got the junior grade £30 exhibition, tenable for three years. In 1881 she got the silver medal for second place, and the middle grade exhibition?—I think she got the other.

6465. She in 1883 got the Girton scholarship?—Her Girton course is not finished yet.

6466. What is your staff?—Twelve teachers, including ourselves. We do the more expensive part of the teaching, and it would therefore be difficult to give an estimate of the expense.

6467. Assuming some portion of the endowment to be given, how do you consider the best results could be obtained from it?—I think it would be best to give it

to schools to increase the salaries of the teachers. They have a great strain upon them.

6468. Dr. TRAILL.—Do you mean to increase the number of teachers?—No, but to increase their pay.

6469. But to increase their salaries would not diminish the strain upon them?—No, but they are working far very little now.

6470. Lord Justice FRYGROVE.—How would you propose to compete for or try to establish your side for a share as against other schools?—The system of inspection is very necessary, and if it would at all minimise the present competition between the different schools, which is very fierce indeed, it would have a good moral effect.

6471. Rev. Dr. MOLLOY.—Do you think the competition between schools is carried too far?—Yes, it is excessive.

6472. Lord Justice FRYGROVE.—But competition there must be if the system of payment by results is followed?—There might be a system of inspection.

6473. But it must be an inspection to show that you are doing a certain amount of work?—There could be no objection to an inspection which had for its object to see that a certain standard was reached. It would, I think, be inadvisable to expend the money in establishing prizes and scholarships so as to increase the present severe strain.

6474. Rev. Dr. MOLLOY.—You would prefer a system of inspection having for its object the efficiency of the teaching, and the fitness of the material appliances?—Yes, and the general work done by the school.

6475. Lord Justice FRYGROVE.—And share the endowments according to these reports?—Yes, and partly in connection with results.

6476. Dr. TRAILL.—You would have the inspector examine the teaching?—Yes.

6477. Lord Justice FRYGROVE.—It appears to me what you suggest could not possibly relieve the strain. The competition would go on as fiercely as ever as long as the grants were made on the reports of the inspectors?—I do not think it would increase the strain as much as other methods.

6478. Dr. TRAILL.—But would not each school strive its utmost to get more results sent?—I think everything should be done to avoid increasing the strain.

6479. Mr. SHAW.—Do you think any school should receive a grant which does not provide for the physical accommodation of its pupils adequately?—No, and also a proper system of exercise.

6480. Dr. TRAILL.—You include sanitary arrangements?—Yes. No school should receive a grant unless it was in a sound sanitary state.

6481. Rev. Dr. MOLLOY.—What provision is there in your school for the physical exercise and recreation of the pupils?—There are two fine tennis grounds which are used constantly, and also a gymnasium.

6482. Dr. TRAILL.—How would you provide for schools where there is no tennis ground?—Well, two or three might club together and provide something similar.

6483. You have only tennis?—Yes, and gymnastics.

6484. Lord Justice FRYGROVE.—You get £300 a year from various societies as prizes?—Yes.

6485. Are all these prizes limited?—In some the girls must have been in Londonderry for two years.

6486. Are these available to pay fees in your academy?—Yes.

6487. Are these the Irish Society's?—Yes. The Drapers' scholarships are open to all girls who have lived over one year in the county of Derry.

6488. After it is won is it tenable in Derry?—They have not held that down.

6489. Now, the Girton scholarships?—They are tenable in Girton alone.

6490. Have you Alexandra scholarships?—We do not consider Alexandra would be an advance. It would be no advantage for us to have a scholarship in Alexandra.

6491. Lord Justice FRYGROVE.—The Shinnars' Company's was not competed for?—No.

6492. Rev. Dr. MOLLOY.—Is there any particular endowment you have your eye upon now?—I think the London Companies might be worked up to give further endowments.

6493. The companies are connected with the city and county of Londonderry, and what they give would not be available for the whole country?—I do not think they would give anything, unless it was connected with Londonderry.

6494. They do not at present give anything except for Londonderry?—No, not much.

6495. Mr. SHAW.—They make grants to Girton, but it is out of their English funds.

6496. There are other schools in Derry besides yours, is there not?—Yes. Miss Holmes has a school. She did not give me any authority to speak for her.

6497. About how many pupils has she?—There are over 120 pupils in Miss Holmes' school.

6498. Lord Justice FRYGROVE.—Do her pupils go in for the Intermediate?—Yes.

6499. Mr. SHAW.—What other schools are there?—There is Miss Jenkins'.

6500. Lord Justice FRYGROVE.—What is the distinction as regards the classes of pupils?—They are very much the same—both are mixed schools.

6501. Rev. Dr. MOLLOY.—The daughters of professional men, the better class of business people, and daughters attend your school?—Yes.

6502. Lord Justice FRYGROVE.—In fact, all the better classes of county districts?—Yes.

6503. Rev. Dr. MOLLOY.—The children of the gentry?—Yes, from the South of Ireland.

6504. Perhaps you have not yet been long enough in existence to give an account of those who go to Girton—as to what becomes of them?—One of them is at present science mistress of Leeds High School, and another Intermediate girl holds an important appointment in India.

6505. Lord Justice FRYGROVE.—You say the school was established in 1877?—Yes.

6506. Did the number of your pupils rise rapidly or slowly?—Very rapidly indeed. We had only nine at first, and since there have been 120 and sometimes 130.

6507. Within what time did the numbers rise up to 100?—I am not quite sure. Perhaps within two years.

6508. Professor DORCHESTER.—Can you give us the amount of result fees gained by your pupils each year?—Yes, I can. In 1879 it was £21; in 1880 it was £37; in 1881 it was £136; in 1882 it was £28. There was a reduction in the amount of fees given that year. In 1883 it was £50, in 1884 it was £84, and in 1885 it was £40.

6509. Rev. Dr. MOLLOY.—You are wonderfully successful for the time you have been in existence. Do you think there should be a separate programme for girls?—No.

6510. You think there should be the same programme for boys as for girls?—I think the programme is so wide and so well chosen that we can easily select from it the subjects best suited for the pupils.

April 16, 1901.

Miss W. R. R. R.

April 24, 1886

Miss Isabelle
M. Tod

Miss Isabelle M. Tod was sworn, and examined.

6511. **Lady Justice FRYGHERON.**—Would you kindly give us your own relation to this question?—I am Honorary Secretary of the Belfast Ladies' Institute for a number of years. This is an association interested in the higher education of women in the North of Ireland. I am besides delegated by the Ulster Schoolmistresses' Association to be present to-day. In these two capacities I now come before you. I think I had better first read some extracts from a few typical letters which I have received from a few typical schools. The first letter I will read is from Cockstown. Miss Margaret Houston, the present head of the Ladies' School there, writes:—

"I think we require more than anything else some arrangements by which, in our country towns at least, there may be better schoolroom accommodation for girls. Another great advantage would be the provision of suitable centres, or the permission for boys and girls to have a common place of examination where the numbers are not sufficient to procure a centre for girls alone. We think the suggestions as to qualification for advancement of boys' schools would be suitable for girls also, but most of the girls' schools, in country districts especially, would be excluded were the average attendance required to be so high as the schoolmistress proposes. I am sure there would in few cases be more than fifty pupils in daily attendance, and often very much under that number. We are seldom able to send in more than, on an average, eight or nine girls. Sometimes we send in none at all, partly on account of the unwillingness to send girls to a distant centre of examination."

Miss Flott, the Ladies' School, Ballymena, writes:—

"In answer to some queries sent to me by Miss Rod:—

I may explain, queries were sent to ladies not able to attend:—

"I may say that it seems to me the best manner in which money could be applied for the efficient and permanent benefit of girls' schools in Ulster, would be to lay it out very much on the plan adopted by the Intermediate Board, viz.: the granting of scholarships and money prizes according to merit, and appointing a man for the benefit of the teacher. If I simply considered my own school at the present time, a scholarship of £25 per year would be of the most practical benefit, but it might not be a permanent one. The qualifications suggested for boys' schools, viz.: 'average attendance' and 'average number of candidates sent in to recognised examinations,' seem to me to be the most reasonable basis on which to form a class, and would, I believe, be the most practicable for girls' schools. For private schools in small towns, to derive any benefit from the scheme, the minimum number of pupils would need to be rather low—about, I would say, an average of thirty or forty pupils. Up to a certain age Model and National schools educate the majority of girls in small towns, so that private schools have very limited material to draw from. Scholarships and money prizes are the great inducements we could hold out for the higher education of girls."

You see the names very much the same figure as Miss Houston pointed out. Miss Nelson, Alexandra School, Carrickfergus, replying to the question "By what methods may a moderate amount of money be best expended in Ulster to make girls' education efficient and permanent," says:—

"1st. To apply the money towards school buildings suitable to the requirements of the present age, or to keeping those in repair which are now used. The buildings are old, and large sums of money are annually spent by us on them without recompense and without issue. 2nd. To pay properly qualified teachers, as the expense for such is heavy, some being in the vicinity. 3rd. To give prizes, exhibitions, or scholarships, as may be deemed advisable."

She then proceeds to give some of the figures in her own school. The average number of pupils in attendance, it seems, during the years 1880-1885 was from 40 to 60. The number of pupils sent by her in to recognised examinations during the year 1885 were as follows—College of Preceptors 12, Intermediate 10, Edinburgh 3, Trinity College (London) 18. Total, 43. The letter, after giving these figures, proceeds:—

"I consider the minimum number twenty-five to thirty, on which girls' schools should base their claim to endow-

ments. The Alexandra School is the only Intermediate school for girls on the seaboard of the county Antrim, from Belfast round to the River Bann at Coleraine (a distance of sixty or seventy miles), portions of which district we well inhabited, and this condition of things is pretty likely to continue, because the expense of bringing down the class masters (which we do), and other visiting teachers from Belfast (which is sufficiently heavy to Carrickfergus) would be too great in the case of any school at a point more distant."

Miss Gillespie, Newry, writes:—

"As schools in provincial towns cannot be altogether self-supporting, they need and deserve some help from Government. Towns with a population of from between 10,000 and 16,000 cannot always have a sufficient number of pupils to support a middle class girls' school; and less competent teachers will undertake schools in towns like Newry, unless they have some private means of support. Now a small permanent salary would do away with this difficulty. With respect to the first qualification mentioned, we quite approve of it, i.e., the average number in attendance; but we think the success of the pupils and not the numbers sent in would be a better test of a school. In Newry there is no provision for the higher education of girls but our school; if the pupils should happen to fall off from any cause we would have to close, and the town might then be for years without a good girls' school, as it has often been before."

Mrs. Gilmour, Lurgan, writes:—

"In country towns where the parents have little culture, and are therefore unable to appreciate good education for their girls, an endowment would be of vital importance where a principal teacher is courageous and energetic, and well educated. The suggestions mentioned—viz.:—the average number in attendance and the average number sent in for examinations seem very suitable—as to the minimum number, I shall say from twenty to thirty. This would take in the class who are striving to do good work in the face of discouragement, and sometimes wearying anxiety which inevitably weakens the teachers' working power. There is a population here of 10,000 a fair proportion of whom are quite in a position to educate their children. The 'College' is an endowed school which provides a good education for their boys, and if something similar exists on a smaller scale were available for their girls it would be of incalculable benefit."

6512. **Rev. Dr. MOLLOY.**—The college is a boys' school?—Yes.

6513. They all appear to fix the minimum so as to take in their own school?—That is a matter of course entirely for you to consider. Miss Rod, who has what may be called a suburban school at Strandtown, near Belfast, writes:—

"First, I consider that the best way to make girls' education efficient and permanent, would be to distribute the money as a grant to schools that are already doing good educational work. I think the interests of the girls themselves are already sufficiently considered. There are many prizes and scholarships open to them, and the burden of expense for extra tuition is left largely on the principals of schools, while the advantage is solely with the pupils. I think the money should be given to principals of schools in order to enable them to extend their working staff, and make their resources as efficient as possible. Many are making efforts for this purpose at present, entirely restricted, and the general tendency is not to increase pupils' fees to meet increased requirements, but rather to consider that they should be as low as possible. Second, with regard to the minimum number of pupils in attendance constituting a claim to endowment, and the average of candidates for examination, I should say an average of forty pupils in attendance, and 20 per cent. of candidates for examination. Our school has filled the vacancies of higher education for girls in Belfast neighbourhood for a considerable number of years, and it has a complete and efficient working staff."

I give these as fairly typical letters from Ulster schools. There are about fifteen schools in Belfast, who send in pupils to the examinations of the Intermediate and the Universities, exclusive of Mrs. Byers, and exclusive of the Methodist College and the Commercial Academy.

5514. Lord Justice FRANKLIN.—How many in all Ulster?—In all Ulster there are about fifty schools giving secondary education and sending in pupils more or less regularly to the Intermediate examinations.

5515. Rev. Dr. MORRIS.—In distributing the endorsement, do you think we could safely act upon the reports of inspectors who would examine into the efficiency of the teaching, the efficiency of the staff, the suitability of the educational appliances, and generally into the working and condition of the school, without taking account of the results attained by the pupils at the Intermediate examinations?—I am of opinion the Intermediate examinations are accurate and useful.

5516. Would the inspection be sufficient in your opinion?—There are differences of opinion upon that amongst the teachers, and the question has not yet been formally decided upon at any representative meeting of our association. I think myself, and I believe it is the opinion of all superior teachers, that the inspection should in fact be an additional test to schools who send in pupils.

5517. You would not consider inspection sufficient without examination?—I would prefer inspections as an additional test.

5518. The difficulty about the Intermediate examinations is this: some schools send in their pupils largely, some in smaller numbers, and some none at all. Therefore the Intermediate examinations are not an equal test for different schools?—The inspector would have a difficulty in keeping out of his mind the results achieved by each school at the Intermediate.

5519. Dr. TRAILL.—Would he not examine them himself?—By watching the teaching.

5520. Would it not be possible to check the results by a system such as is in force in Erasmus Smith's schools. Every individual child is examined there?—I really am not sure.

5521. Rev. Dr. MORRIS.—It would be difficult to get an inspector who could examine all the pupils in all the subjects taught; but a general inspection, with a certain amount of examination judiciously conducted, would satisfy him as to whether the pupils were being taught successfully, and as to whether the school was really teaching what it professed to teach. Would that be a sufficient ground to set upon?—I think it would be; but as a general rule the schools which do not send in pupils, with two or three definite exceptions, are not first class schools. I have in my mind several schools who do not send in pupils to the Intermediate and do not profess to do so, and whose girls pass on to larger and more important schools.

5522. Dr. TRAILL.—But some schools do not send in their pupils because of no convenient centre, as for instance those in Dundalk and Tralee. The ladies of those schools cannot send in their pupils to the Intermediate because they would have to go to great expense bringing them to a distant town, and paying board and lodging for them there.

5523. Rev. Dr. MORRIS.—You do not think there is any good ground for the complaints against the examination system of the Intermediate Board?—I have never heard a fault found with the Intermediate examinations by any person competent to give a verdict in the matter. On the contrary I have heard them praised.

5524. Has any case of over-pressure come under your observation?—Never. On the contrary girls who were leading a full and life and were in indifferent health, after being a while at school became rosy and robust. Intellectual companionship and industry does a great amount of good to these girls. As something has been said about convent schools not sending in pupils to the Intermediate examinations, I would like to say from my own knowledge that the convent schools in Belfast, and most of the convent schools in Ulster do send in pupils to the Intermediate examinations and enter into wholesome and healthy rivalry with other schools.

5525. Professor DEWEZERT.—The Ulster con-

stitution is a little more robust than that of the other provinces?—I am hardly in a position to say.

5526. Dr. TRAILL.—Have you formed any idea of the fund the endowment for girls should be taken from?—I think the girls have a claim upon the Royal schools.

5527. Do you think that endowment is limited to Ulster?—I think it ought to be. Some of the Royal schools are not in places suitable for girls. They are in towns going back rather than progressing. From what I know of the general feeling of the teachers of Ulster, I am aware they have the question of buildings very much at heart. It is extremely difficult in small towns to get suitable buildings. Of course they are extremely expensive to erect.

5528. The funds are small, and putting a portion into buildings might completely destroy the whole.

5529. Professor DEWEZERT.—Would you propose that buildings be erected?—No, I do not think that possible under the circumstances, but existing buildings might be improved.

5530. You think a grant should be made for that?—My impression is that it would do very great good to many places.

5531. Lord Justice FRANKLIN.—If we put any of the money into buildings it necessarily follows that we must support those buildings afterwards, otherwise our money will be lost?—Yes; there are difficulties.

5532. Rev. Dr. MORRIS.—If the grant was given according to the efficiency of the staff, the work done in the school, and the number of pupils in attendance, would not that be most expedient?—Yes, that is true.

5533. Lord Justice FRANKLIN.—If people were made aware that a properly equipped school would have a claim upon the public endowment, do you not think the equipment would be brought about more effectually than if the Government were to equip the school on its own account?—Yes, it might be quite possible to stimulate public spirit in the neighbourhood.

5534. Mrs. BYRNE and Miss McKILLIP have shown us what can be done without any outside aid at all in starting a school and making it a good school. If it were announced in a town that a school, as soon as it was properly equipped and supplied with teachers, would be entitled to a share of a public fund, do you think that would have the effect of producing the school?—It would be much more easy in a large town. In some small towns there would be considerable difficulty as there the people are not sufficiently alive to the necessity for education.

5535. You spoke about building. Assume that a school in Tralee, for instance, was not equipped, that we were not satisfied with its condition, would it not be a great deal cheaper, and much less expensive, to give it a grant than to set up a new school?—I had no idea of that at all.

5536. Former Commissioners have had enough of turning out ready-made establishments, which begin to move down hill from the very moment they are started. You are in favour of a basis of results, limited to competition amongst schools arriving at a certain standard?—I think it is extremely important to keep up the standard. The competition should start from a high educational standard. I think the numbers should be larger than most of those ladies mentioned. There are difficulties in the way of arriving at a figure. It would be perhaps possible to combine the elements of numbers and the elements of success together. I would have a system something like that of the National Board—a standard to vary according to the various places the schools are. For instance, the number of pupils examined in Dublin is many times as large as the number examined in Tralee or Waterford. Under this arrangement a school in Cavanagh might compete, whereas under any fixed number it probably could not.

April 26, 1904.

Miss Isabella Mc Teal.

April 14, 1904.

ALAN INCHURCH
(—)

6536. Dr. TRAILL.—This appears to you to be the best arrangement?—It appears to be better than naming any exact figure.

6537. Lord Justice FRYGESSON.—Of course the danger is that the endowment would be broken up into such a number of pieces that it would have no appreciable effect.

6538. Rev. Dr. MOLLOY.—A small sum of money would afford substantial benefit to schools in some places?—Yes, and would tend as a stimulus to teachers to qualify their schools as well as increase the attendance.

6539. How so?—The teachers would use every exertion to keep up the attendance.

6540. Care would have to be taken not to fix the standard of attendance too low, otherwise the endowment would be so split up as to be practically valueless. What do you think should be the minimum amount of endowment as well as the minimum attendance?—I could not give an opinion about that myself, but I know two or three country schoolmistresses in small towns, to whom £20, £30, or £40, would make a considerable difference in their incomes.

6541. Lord Justice FRYGESSON.—£20 in Tralee, or in other places might be a consideration, but to Mrs. Byrne or Miss McKillip it would be very little indeed. Men have indeed risen to great eminence who got their instruction in some small school in a country town?—I think the cleverest boys and girls get most of their early instruction at home, in humble homes where there is only a small income, but educated parents. I think intellectual culture and poverty act as a great stimulus. I think a very clever teacher also sends out very clever pupils, and this continued for a length of time makes her school a prominent institution.

6542. Professor DOUGHERTY.—Do you consider large schools more satisfactory from an educational point of view?—I do.

6543. Do you think we should consider the claims of the smaller schools?—Yes.

6544. Rev. Dr. MOLLOY.—Have you considered how much should be the minimum given to a school?—Of course there would be a different standard for country schools and town schools. In such a school as had thirty pupils, the same amount should not be given as to a school which had 200.

6545. What should be the minimum?—I know some schools to which £30 or £40 would be the greatest assistance.

6546. Lord Justice FRYGESSON.—You would not give £30 or £40 to a school in Belfast or Dublin?—Certainly not.

6547. You would have it to be worked out as a sum in proportion to the grant to be in accordance with the demands of the locality and the size of the school?—Yes. Many ladies would start schools in small towns if they knew they would get assistance to the amount of say £40 a year. In consequence there are very few ladies' schools, and the consequence is that in most families only one of the daughters is sent to school. She is sent to England for about a year. She is left very seldom indeed long enough to obtain a good education. Female education there is very deficient.

6548. Mr. STONE.—Would it not be necessary to fix the maximum amount to be given, as well as the minimum?—I could not answer that.

6549. Lord Justice FRYGESSON.—Is there anything else you would wish to say?—There is one point occurring to me, and that is this—some striking facts have been shown of the success of pupils commencing at the Intermediate and going on to the University examinations. This might be carried a step further, and it might be shown where those girls were prepared.

The Dean of the Chapel Royal.—I wish to express my dissent from the proposal that grants should be made on the basis of the Intermediate results, or the results

of an inspection. Whether the report of the Inspector was really open to such a charge or not, charges of partiality would be made. Then again very few men could be found who would be competent to examine all the pupils in all the subjects taught. In the long run it would be found that the public and the best judges of the merits of a school, and I believe the principle of capitation fees is the best and the simplest method.

6550. Lord Justice FRYGESSON.—There is no difference between you on the inspection point, as I understand it. The result fees of the Intermediate are paid upon the results of examinations, and we understand previous witnesses to wish the inspection to be merely an additional test. It has only been suggested that the Inspector should certify that the children in the school are entitled, from their qualifications, to be counted.

The Dean of the Chapel Royal.—That the children are up to a certain standard, I understand. The great danger is that these grants would lead to a number of ramshackle schools being started all over the country.

6551. Rev. Dr. MOLLOY.—The schools would be started at the risk of the people themselves.

The Dean of the Chapel Royal.—The grants to these schools would have no permanent value.

6552. Rev. Dr. MOLLOY.—The ramshackle schools would have to be increased against existing schools.

The Dean of the Chapel Royal.—They might be so for one year.

6553. Professor DOUGHERTY.—You would be disposed to sacrifice the smaller schools for the sake of those in Dublin and Belfast.

The Dean of the Chapel Royal.—Even in the case of the endowments for Ulster it might be argued that the Alexandra College is for the benefit of girls from Ulster when they come up to us. Alexandra College receives girls from all parts of Ireland. This applies to the Royal Schools endowment.

6554. Rev. Dr. MOLLOY.—What attendance would you require to qualify a school to share in the fund?

The Dean of the Chapel Royal.—I would require fifty as a minimum, and that the schools should not be more than two in each province. The fund would do no good if broken up into too small fragments.

6555. Professor DOUGHERTY.—You would practically restrict the fund to one class?

The Dean of the Chapel Royal.—First class earnings for first class fare.

6556. Lord Justice FRYGESSON.—But do not you think there should be third class earnings too?

The Dean of the Chapel Royal.—Yes, but not with children.

6557. Lord Justice FRYGESSON.—It is a question of providing seats, it seems to me, in this case.

The Dean of the Chapel Royal.—The Society for the Training and Employment of Women think there are certain apprentice fees and marriage fees for Dublin which might fairly be applicable for technical education, and they ask that the fund be applied in that way. The fund is to provide husbands for young women, but the society think it better to give them technical education than husbands.

6558. Dr. TRAILL.—They consider employment is better than marriage?—Yes. The object of the society is to make women independent of husbands by giving them technical training. Then there are apprentice fees which they consider they have a claim on.

6559. Lord Justice FRYGESSON.—Would not training girls to be teachers come under the heading?—I do not think so. I do not think that is technical training.

I do not see why the Greek word should deter them.

6560. Rev. Dr. MOLLOY.—There is not room enough for all in the teaching profession?—Yes.

The Commission then adjourned.

MONDAY, MAY 10TH, 1886.

At the Office, 23, Nassau-street, Dublin.

May 10, 1886.

PRESENT:—REV. GERRARD MOLLOY, D.D., D.S.O., F.R.C.S., ANTHONY TRAILL, ESQ., LL.D., M.D., F.R.C.S., and
Professor DOUGHERTY, M.A., Assistant Commissioners.
The Secretary, WM. EDWARD ELLIS, ESQ., LL.B., and the Assistant Secretary, N. D. MURPHY,
JUNR., ESQ., were in attendance.

NATIONAL SCHOOLS, LOWER DOMINICK-STREET.

The Rev. Samuel Prender, Minister of Ormond-quay Church, appeared on behalf of the Governing Body and applied for an adjournment.

The case was adjourned to Tuesday, May 18th, at 12 o'clock.

National Schools, Lower Dominick-street.

SAINT MARY'S PAROCHIAL SCHOOLS, LOWER DOMINICK-STREET.

Rev. J. H. MOLLAY, M.A., sworn and examined.

St. Mary's Parochial Schools, Lower Dominick-street.

Rev. J. H. Mollay, M.A.

6561. Rev. Dr. MOLLAY.—Will you state to the Commissioners what are the endowments you have for your schools?—There are two kinds of endowments, we have a couple of houses and some funded property in the three per cents. We have the interest in two houses that yield a profit rent, and we have also the large house in which the school is situated in Lower Dominick-street.

6562. The schoolhouse you have rent free?—We have the schoolhouse rent free, and there is no ground rent whatever for our schoolhouse. We have a profit rent from the other two houses.

6563. How much?—About £56.

6564. And you have a trust fund besides?—Yes; in the names of the rector and churchwardens for the schools. The endowments are somewhat mixed up.

6565. Tell us first what is the amount of your endowment, and then we will get the conditions under which it is held?—The amount is £6,858 14s. in the name of the rector and churchwardens.

6566. Dr. TRAILL.—How is that invested?—In 3 per cents. This is not for the school alone, but for charities also, and they are rather mixed up in that way, but the interest derivable at present for the school is £71 16s. 9d. That was the amount last year.

6567. Rev. Dr. MOLLAY.—The endowment available for the school is £71 16s. 9d. of funded property?—Yes, and £55 profit rent from two houses, and the schoolhouse rent free. We have also subscriptions which amount probably to about £30 a year. I have noted down the average amount of subscriptions.

6568. What is the rest of the £6,858 trust fund applicable to?—It is applicable to the Widows' Alms House and to what is called Dunne's charity; that is the distribution annually, in January each year of about £75 for distressed householders in the parish who have been reduced.

6569. Is there any other purpose to which that sum is applicable?—Yes, there is a small sum applicable as marriage portions to any boy and girl who were both educated in the parochial schools, a sum of £10. That has been only claimed once during the twenty-one years of my incumbency.

6570. That is applicable to the purposes of education under our Act?—It has been applied to the schools, and we also hold it is liable to that so long as we are free to give it.

6571. In whose name is the £6,858 invested?—In the name of the rector and churchwardens of the parish of St. Mary's, in trust for these purposes.

6572. And the schoolhouse and houses from which the profit rent is derived?—In the name of the rector and churchwardens. Number one, from which a profit rent is derived, is held by the rector and churchwardens as a fine of one shilling.

6573. What house is that?—That is a house in Lower Dominick-street. We pay from that £30 to the Alms House.

6574. Professor DOUGHERTY.—From whom do you hold it?—We hold it under the will of Mr. Fortin. It is a lease renewable for ever at a fine of one shilling for each renewal of the lease.

6575. It is a grant from Mr. Fortin?—Yes. £35 is the rent, and out of that £30 is paid to the Alms House. The balance comes only to about £13 12s. 8d., so that is the net profit rent derivable from that. Number two, the other house, was our old schoolhouse in King's Inns-street. That is let for £40 a year. It produces £35 12s. 6d. net profit rent.

6576. Rev. Dr. MOLLAY.—Are your schools connected with the National Board?—They are now. The boys and infant schools are connected with the National Board; the girls' school not yet, because they were not at the time in sufficient number, but the number is sufficient now.

6577. Do you get payments from the National Board for the teachers of your boys and infant school?—Yes; we supplement it by £95 a year to the schoolmaster, and £15 a year to each of the other two schoolmistresses will be given.

6578. How much does the National Board give your school teachers?—£37 a year for the boys' school, and £37 for the infant school.

6579. And you allow the infant school teacher how much?—£15 a year for the boys and £15 for the girls and infants. We have also appointed a teacher for music and drawing in our school, and I have lately established a grammar for the boys.

6580. Your object is to get from the National Board as much as you can and supplement the grant from your own endowments?—Yes, and to spend as much as we can on the schools to render them efficient. Our subscriptions from the parish in 1880 amounted to £44 4s. 6d., and we commenced with a balance against us of £11 3s. 9d.; in 1881 the subscriptions amounted to £59 12s.; in 1882 the subscriptions were £30 2s.; and then we had a deficit of £33 3s. 10d., on account of expense incurred in repairing the house in which the schools are at present carried on. It is a very large and fine house, and it is said to be the house where the Speaker of the Irish House of Commons lived. We were offered by Messrs. Hodges, Ironmongers, £50 for a chimney-piece in it.

6581. Rev. Dr. MOLLAY.—Your subscriptions average about £30?—I would say about £30. In 1883 the subscriptions amounted to £28, and in 1884 to £25 16s. 3d.

6582. Where was the school formerly?—In King's Inns-street. It is now let to Mr. Sanderson, the coach builder.

6583. Do you claim exemption?—I suppose if we did you would be willing to oblige us. I have made out the following memorandum which you will allow me to read:—

"The rector, churchwardens, and select vestry of St. Mary's parish desire to inform the Commissioners that the

May 26, 1836.
Rev. J. H.
Newman, &c.

endowment of the Protestant parochial Sunday, daily, and boarding schools was effected at various times by bequests of parishioners and members of the Protestant Episcopal Church, exclusively for the Protestant children of the parish. Owing to the great expense of the boarding school it was discontinued, and the daily and Sunday schools maintained, chiefly as parochial schools under parochial management. The house property for their support being conveyed to the rector and churchwardens and the Government funds likewise in trust for the same purpose. (3.) The income has been devoted all along for the maintenance of Protestant parochial schools, without connection with any association or board, for all who would accept instruction—until last year, when the boys' and the infants' schools were placed in connection with the National Board, to be managed according to their rules, hoping soon to have the girls' schools under the same name-vested schools. (4.) The governing body consists of the rector, churchwardens, and select vestry.—The rector being the manager in relation to the National Board. (5.) The governing body desire only to be enabled to carry on the schools as efficiently as possible in connection with the National Board, and would hope that there may be facility afforded for receipt of dividends for the special purposes of the bequests. The accounts in Government funds have been too much mixed up together; though always correctly distinguished in application; but it would be desirable that they should be separated, so as to prevent confusion or occasion of mistake, as at present there is said to be legal difficulty in the case of receipt of dividends.

5584. Dr. TRAILL.—Were you ever under the Church Education Society?—Never. I may mention that I have lately found a difficulty in getting dividends in the Bank of Ireland, because we were told these charitable endowments were now placed under the Church Representative Body. They refused to give me any dividend for the schools for the last half-year. I stated the different points, and that one fund was invested in the name of the then Lord Chancellor and the Rector and Churchwardens, and that it had nothing to do with the Church Representative Body. I pointed out the nature of the endowment, and Mr. O'Connell said he would pay it and it could be afterwards settled. But a legal question arises in this way; they say you, as rector, and the churchwardens, as a corporation, were dissolved by the Church Act, and therefore we have no right to pay you at all.

5585. Rev. Dr. MOLLOY.—Do you think it would be desirable to get a scheme from us and be incorporated?—No doubt it might be desirable. Our sources of income are at present too much mixed up, and it would be advisable they should be separated, so as to obviate the legal difficulty which at present would seem to exist as regards the payment of the dividends.

5586. Professor DOUGHERTY.—What alteration would you suggest as regards the constitution of the governing body?—No alteration. I would have the rector and churchwardens.

5587. With regard to the application of your endowment have you any suggestion to make?—We should be encouraged as much as possible to maintain a good school.

5588. Would you like to be relieved from the necessity of granting these marriage portions?—Yes.

5589. Rev. Dr. MOLLOY.—We would ask you to

put your ideas into the shape of a scheme, and send it in to the Commissioners, and a draft scheme will be drawn up which you will have an opportunity afterwards of examining and criticising.—I have given in evidence the only draft scheme I could conceive.

5590. This is a consent in writing to the Omeath scheme dealing with the endowment?—Yes.

5591. Dr. TRAILL.—Have you any legal gentlemen connected with your parish, into whose hands you could put the drafting of a scheme?—We can only get that done.

5592. Professor DOUGHERTY.—Have you got the rental?—This is the rental (handed in).

5593. Dr. TRAILL.—Have you got any documents proving the terms of this £5,538, and if so, could you separate them, so as to make up a total of £2,453?—I could separate them. Here are copies of the trust deeds, and copy of Richard Carr's bequest.

5594. These make £8,009 altogether?—Yes, but it was sold out considerably in the interval. Last year we sold out £130 of stock, so as to put our school house in thorough order for the National Board.

5595. That practice of selling out capital was called attention to in previous reports?—As the governing body, our principle was to try and keep an efficient school, and for the benefit of the living to use the money of the departed.

5596. Rev. Dr. MOLLOY.—It would be desirable if you could submit a scheme that would deal with the whole endowment?—I could eliminate the charities.

5597. We have power to deal with mixed endowments, partly for education, and partly not, and if you were an incorporated body it might be an advantage to you to get a scheme dealing with the whole endowment?—We shall consider that.

5598. Dr. TRAILL.—As regards Carr's bequest, can you give any information as to that?—That was in the time of Dr. Leeper, Dr. Lindsay, and Dr. Mowry; they allocated that, and we have all their documents.

5599. Alexander Montgomery was another?—He was.

5600. The Rev. E. Lindsay was minister of the parish, and James Hanna and John Curry were churchwardens at that date?—Yes.

5601. What is the rental of the endowment in respect of which the then Lord Chancellor was a trustee?—That is the Fortis Alma House.

5602. What is the date of that?—I don't know. I could not tell you. I have not got it. I should look through some of the old books to find it.

5603. Is there any restriction as to dissemination in the Alma House?—It is for respectable families, not widows only.

5604. Does it say Protestant families?—Protestant families. The then Lord Chancellor and the rector of the parish were trustees. We did not know where that old gentleman, Mr. Fortis, was buried until recently, when preparing St. Mary's churchyard for a public garden, we came on his tomb.

5605. I suppose arrangements will be made to preserve the tombs of these pious founders?—We will have them placed at the side of the churchyard.

5606. You are going to give a free site for a public garden?—Yes.

St. Saviour's
Orphanage,
Denmark-
street.

ST. SAVIOUR'S ORPHANAGE, DENMARK-STREET.

Rev. John F. Tennyson attended on behalf of St. Saviour's Orphanage, Denmark-street, and claimed that the institution is exempt.

Rev. John F. Tennyson, D.D., sworn and examined.

Rev. John F.
Tennyson, D.D.

5607. Rev. Dr. MOLLOY.—When was the school founded?—In 1782.

5608. What is your present endowment?—It is a bequest of Jeffrey Waldron. It is £13 7s 6d.

5609. I find it is stated in the report of 1830—“That this institution, which then occupied 44, Jarvis-street, Dublin, was endowed with £441 10s. 9d., under the will of Jeffrey Waldron; £107 Govern-

ment stock, and £303 trust fund, invested in the purchase of a site which was subject to £3 rent, the estimated annual value of the premises being £9 14s. 9d.; the net income from the existing trust fund was £17 1s. 1d.” Has there been any change since that report was made?—Of course, we have money in Government stock, I can sell it out if I like.

6610. Professor DOUGHERTY.—Does that represent accumulated subscriptions?—Yes.

6611. Have you got the will of Jeffrey Waldron?—I never saw it.

6612. Who pays it?—The Commissioners of Charitable Bequests.

6613. Rev. Dr. MOLLOY.—Who appoints the Guardian?—He is generally appointed by the Prior of our house in Dublin.

6614. Have you no documents connected with the endowment?—That is the only document, Jeffrey Waldron's will.

6615. There is a small bequest of Anne Elliott, £117?—That has been spent.

6616. Is Jeffrey Waldron's money vested in the Commissioners of Charitable Donations?—It is.

6617. Possibly the Commissioners of Charitable Donations and Bequests have the documents connected with it?—Possibly they have.

6618. Do you draw any money anywhere except through the Commissioners of Charitable Bequests?—No. We have money invested in the Three per Cent.

6619. Is that of old standing?—No, indeed; it is very recent.

6620. That is derived from voluntary subscriptions?—Yes.

6621. Have you any house property?—No.

6622. You have the house in which the orphanage is?—That was formerly the priest's residence, when we had the chapel in Denmark-street. When we went to Denmark-street we transferred the orphanage to our former residence in Denmark-street, the orphanage paying the rent, £6, of the house in Jervis-street, where it formerly was.

6623. What is the title by which that house is held?—By a lease made in 1783; the lease of the ground where the chapel was built on.

6624. Who was the lease from?—It was from a gentleman who lived in Wales. I cannot just now recollect the name, although I have got it on the tip of my tongue. At that time all that part of the site was waste ground.

6625. Dr. TRAILL.—Who is the property vested in; suppose, for instance, a caretaker took hostile possession of your house, how would you eject him?—I am one of the proprietors.

6626. Suppose a caretaker said "I am in possession," how would you eject him?—I presume we have the title deeds, or continuation of the lease.

6627. Professor DOUGHERTY.—The ground of this house is leased with the ground on which your educational buildings are erected?—Yes.

6628. Dr. TRAILL.—The ground on which the schoolhouse stands is a separate portion?—No.

6629. The chapel is built on the same ground?—Yes.

6630. If the lease was produced to show that, you would be exempt altogether?—We would have to search for the lease, and I do not think it would throw much light on it.

6631. From a former report it would appear your solicitor was rather anxious about the title deeds?—I don't know how that is. I now recollect, Tucker was the name of the gentleman from whom it was leased.

6632. The only endowment you have is £13 10s. from the Commissioners of Charitable Donations and Bequests?—That is all.

6633. You have not the deed under which that is given?—No.

Rev. Dr. MOLLOY.—It is plain your institution is quite exempt, *prima facie*, and probably we shall be able to get the original deeds from the Commissioners of Charitable Donations and Bequests.

Adjourned.

May 16, 1886.

Rev. John T. Tennant, &c.

TUESDAY, MAY 11TH, 1886.

At the Office, 23, Nassau-street, Dublin.

May 17, 1886.

Present:—Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.D., M.D., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Assistant Secretary, N. D. MURPHY, Jun., Esq., was in attendance.

* ST. BRIDE'S PAROCHIAL NATIONAL SCHOOL, BRIDE-STREET.

Rev. Canon GREENE sworn and examined.

St. Bride's Parochial National School, Bride-street.

Rev. Canon GREENE.

6634. Rev. Dr. MOLLOY.—You think, Mr. Greene, that if a school be established for the benefit of one denomination, and administered by a governing body exclusively composed of that denomination, it is exempt, even though it be a National School?—As far as I can tell you I should think that the management of the endowment was vested in the rector and churchwardens of the parish.

6635. Have you got the documents connected with your school?—Yes.

6636. Professor DOUGHERTY.—Do you wish to claim exemption?—I think we should.

6637. Dr. TRAILL.—If the question of exemption is reserved it will satisfy you, will it not?—Yes.

6638. Rev. Dr. MOLLOY.—I think then we had better take your evidence with regard to the facts, without prejudice to any future claim you may put forward?—Very well.

6639. Dr. TRAILL.—The endowments here are represented by £3,000 Grand Canal Debenture Stock, from house property, 25s per annum, £250 from the parochial fund, and an unascertained portion of £500

in 10s. Government Stock. Are you able to say what percentage there is from the £3,000 Grand Canal Stock?—It is in the accounts just as it is received.

6640. In whose name are they?—The rector and churchwardens of the parish.

6641. Are the churchwardens named?—No.

6642. It is a general title?—Yes.

6643. Who are the churchwardens who were appointed at the last vestry?—Mr. Adams, and Mr. Drummond.

6644. Have the dividends been paid to you?—Yes, there were two; one on £2,000 for the poor. The dividends paid together. The property is £254 a year. There is £2,000 in addition to the £2,000. Of course the dividend varies according to what is paid by the Company. (Account handed in.)

6645. That £2,000 is not mentioned here?—It has nothing to say to the school property.

6646. The house rent is from houses in Grafton-street, in Little Ship-street, Bride-street, and Coffee-street—four houses altogether?—Yes.

6647. There was £250 borrowed by the church-

* For particulars and details, see App. B, Nos. XXV. (a), XXV. (b), and XXV. (c), pp. 423, 425.

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Rev. C. C. G.
Glasgow.

wardens and parishioners from the school bequests, from which there was £12 8s. a year due by the parish to the schools?—Yes.

6648. Do you know anything about the Government Stock?—No, except that there is some dividend, about £3 odd half-yearly.

6649. Has the Government Stock been sold out?—I do not know.

6650. Does the account give the Government stock?—There is one dividend of £1 10s. 9d., another of 18s. 11d., and £3 15s. 11d.

6651. Professor DOUGHERTY.—How much is that altogether?—£5 3s. 7d. There is no more that I can find out in the bank book. There is one of £1 10s. 9d.—the Donevon Bequest—it is called so in the bank.

6652. Dr. TRAILL.—Will you be able to find out the history of that 455 5s. 10d. stock?—There were some sold in 1869.

6653. Dr. TRAILL.—Is there any capital account in this book?—I do not think there is. Of course, I have only got these books lately.

6654. Who was this book kept by before?—By the Rev. Mr. Carroll, who was then living.

6655. Mr. William King Lee and Mr. Holmes were the churchwardens then?—Yes.

6656. I think it would be necessary for us to see the parochial treasurer. This account is a copy of the account of the treasurer. The account here is signed by Mr. Lee and Mr. Holmes?—Mr. Carroll kept the accounts.

6657. Rev. Dr. MOLLOY.—Are these the books of the school?—Yes.

6658. Dr. TRAILL.—In 1869, at the date of the previous inquiry, the stock had been reduced, but Mr. Carroll did not know how much of it belonged to the school. It appears now as a matter of fact, that hardly any of it is available for the school?—I think the whole thing amounts to the three small sums of 18s. 11d., £3 15s. 11d., and £1 10s. 9d.

6659. Rev. Dr. MOLLOY.—Do you know at present how the fund is distributed between the schools and poor?—No; it could be found out from the books.

6660. The actual distribution can be found from the books?—Yes.

6661. Do you know what is the general principle of the distribution?—No, except that I suppose each sum put to the accounts is down there for some reason. I really cannot tell you.

6662. Professor DOUGHERTY.—Do you know that the confusion in which the accounts were kept, has been the subject of remark in former Commissions?—I am afraid it cannot be cleared up now if it could not be cleared up then.

6663. How?—Why things have not got any clearer.

6664. Professor DOUGHERTY.—Might they not be made clearer—might it not at all events be better to begin a new system?—If any one could have traced them it would have been Mr. Carroll.

6665. Dr. TRAILL.—Who represents him now?—I do. He left a widow, but there were no papers, and the original papers are in Trinity College Library.

6666. I see from the report of the evidence taken by the last Commission that when the Rev. Mr. Carroll was being examined Lord Randolph Churchill asked him the following question, "From what source was the Government stock derived?" and I find to that question Mr. Carroll answered, "From the balance of old bequests which was invested from time to time, and which was then sold out and then invested again. We have now £550 stock belonging to the general estate of the parish, but how much of that belongs to the schools we do not know. We went on the old lines that we found on the parochial books." Probably your answer would just be the same as that which Mr. Carroll gave?—Yes, precisely.

6667. Professor DOUGHERTY.—Can you tell me what these lines are?—All that I can do is to say that we have two books, one for the poor, and one for the school, and that the expenditure is put down there. The school is entered there, and we do the same thing with the poor; and we follow upon those lines.

6668. What is the expenditure—going back for a number of years?—I have not had time to make myself up in the figures. As I say, I have not been long there. It is, however, in the book there. The expenditure, I may say, has been in excess of the receipts. That accounts for the stock being sold upon several occasions.

6669. Has the expenditure on the Parochial Almshouse been in excess?—No; only the expenditure on the schools.

6670. Dr. TRAILL.—He puts down here the rent of the house in Grafton-street to the poor, but we understand that you spend that upon the poor?—Yes.

6671. And that no part of it goes to the school?—Yes.

6672. The receipts from the houses, one in Little Ship-street, one in Bride-street, and one in Caffestreet go to the school?—Yes.

6673. The rent that goes to the school is altogether £54?—Yes.

6674. Do you spend the whole of that upon the school?—Yes. Of course I cannot be very exact with regard to these accounts, or to the items of expenditure. I have only been there one month.

6675. Are you acquainted with the management of these schools?—I have visited them. Mr. Hayes here could possibly answer whatever questions you have to put on that subject.

Well we had better examine him.

Rev. S. C. Bagley sworn and examined.

6676. Dr. TRAILL.—Have you been in the district during Mr. Carroll's time?—No.

6677. It is simply as curate of the joint parishes that you have a knowledge of this charity. Can you give us the particulars as regards the number of boarders, &c.?—There are no boarders in the school now.

6678. How many girls are there?—In the infant school there is on the roll about 120, with an average attendance of about eighty every day. The other school is a mixed school—a boys' and girls' school—and there is about fifty on the roll, and an average attendance of about thirty-five every day.

6679. Professor DOUGHERTY.—Are the schools now day schools?—They are day schools entirely.

6680. They were originally boarding schools?—Yes; all these schools in Dublin originally were.

6681. I see from the report of the Commission of Inquiry, in 1867, that most of the endowments were left to the schools, and that they were conducted as boarding schools?—Yes.

6682. And you now apply these endowments to the maintenance of the day schools?—Yes.

6683. What authority, can you tell me, is there for your doing so?—Well, we thought we were carrying out the spirit of them by giving food and clothing to the poor children. Some of the parochial schools in Dublin, as you are doubtless aware, did that.

6684. Dr. TRAILL.—Did what?—Give some food and clothing to the children. That is done, the

Rev. S. C.
Bagley.

giving of food and clothing, in St. Bride's, every Christmas.

6685. Professor DOUGHERTY.—These means, which were intended for the maintenance of a boarding-school, were applied to a day school of your own nation?—Yes; but that was before our day.

6686. Dr. TRAILL.—In 1857 they were anxious to do that, and they found they would have to go to the Court of Chancery; if you wished you could bring forward a scheme to enable you to do that—I mean to make it legal. Have you prepared any scheme for the management of the school?—No.

6687. Is the master's house occupied for the original purpose still?—There is no master there now; it is a mistress.

6688. Professor DOUGHERTY.—Do you think it still desirable to maintain these schools as separate day schools. Could they not be amalgamated with some of the other schools?—St. Bride's is a National school, and we, for our part, would not like ourselves to be put under the National Board. St. Bride's has been so for a long time, and there are Roman Catholics there now, and we would not like that. About one-third of them are Roman Catholics.

6689. Dr. TRAILL.—Do you say that at St. Bride's one-third of them are Roman Catholics?—Yes, they are, and there are also some Jews.

6690. Is that the same proportion that you have got in the infant school?—Yes, particularly in the infant school which I know best.

6691. Is it far away from your school?—No, it is not. It is some five or ten minutes' walk.

6692. Professor DOUGHERTY.—Have you any endorsement in the nature of an appropriation fund?—No.

Mr. GREEN.—I think there was a small sum for that purpose.

6693. Professor DOUGHERTY.—I see that by the original foundation the school was to be for the maintenance, clothing, education, and apprenticing to trades of twenty boys?—I remember that there were a number of boys at the boarding school.

6694. Is the Powell bequest mentioned?—The Powell bequest for all the schools was especially an apprenticing fund.

Rev. Mr. GREEN.—That appears to have disappeared altogether.

6695. Professor DOUGHERTY.—It does not appear in the report of 1857, nor, I think, in that of 1880?

Rev. Mr. GREEN.—Three half-years appear to be paid at one time.

6696. Dr. TRAILL.—It seems to have disappeared?—Witness.—Yes.

6697. Professor DOUGHERTY.—You do not know the amount of the Government stock?

Rev. Mr. GREEN.—No; except so far as the dividends are concerned. There are three amounts which are paid half yearly. There is one of £3 15s. 11d., one of £1 10s. 9d., and one of 18s. 11d. These are the only three.

6698. Dr. TRAILL.—What are the annual dividends?—£54 for the whole £3,000. That has been considerably reduced.

6699. Professor DOUGHERTY.—Did you lose anything by the Minister Bank?—We did not.

6700. Had you cleared out in time?—I do not know whether St. Bride's was in a position to lose or not. They were always in debt. I suppose they could not lose much.

Rev. Mr. GREEN.—I dare say it was rather the other way.

6701. Dr. TRAILL.—This audit for 1882 in, I see, signed by Mr. Lee and by Mr. Holmes. £8 8s. 8d. is carried forward?—Yes.

6702. I see "stock sold £102;" and the date is February 7, 1883. You do not know anything about Lord Redenbale's bequest being reduced?—No.

6703. I see there is no account for the year 1885

at all?—No; because Mr. Carroll was in a bad state of health at the time.

6704. Who managed the account during that time?—No one managed it.

6705. And I see as well that the accounts were not audited in 1883 at all?—No.

6706. Dr. TRAILL.—What do you call this other account—not the school account?—The poor account.

6707. Professor DOUGHERTY.—Parochial Alms Houses is the original title?—I suppose so.

6708. Do you know anything about the Ship-street premises being sold to Mr. Taylor?—I do not.

6709. Do you know anything about Powell's legacy?—No; I saw that mentioned for two or three half-years.

6710. Dr. TRAILL.—That appears to be from 1881, and of course it would appear in the accounts. It is modern?—I think you will find three half-years in the book. I saw it at one time, but I could not find it afterwards. (Witness hands in Book of Record of Charitable Donations and Bequests to St. Bride's parish and school.)

6711. Professor DOUGHERTY.—This book could not have been produced at the Commission of 1857?

Mr. GREEN.—I think it could not.

6712. Professor DOUGHERTY.—There is here £100 from Archbishop Kingsbury.

Canon GREEN.—I thought it was £300.

6713. Dr. TRAILL.—Then you have the account of the bequests, as served from 1838, in the report of 1857. Where did all these documents from which we get these facts come?—They were in the tin box that Mr. Adams sent to me the other day.

6714. I find a minute of 1846, which shows that Archbishop Kingsbury's will is £390 for the schools, and £100 for the poor. What was the name of Archbishop Kingsbury?—I do not know what his Christian name was.

6715. Professor DOUGHERTY.—It was Thomas Archbishop of Kilmore, I find.

Rev. Mr. GREEN.—Kilmore.

6716. Professor DOUGHERTY.—Kilmore. I find here £100 for the school, and that £200 was really given. You say that he gave £100 more?

Rev. Mr. GREEN.—Yes.

6717. Dr. TRAILL.—Then it is £300, besides the £100 to the widows and almshouses?—Yes.

6718. Dr. TRAILL.—It has been very well managed you see up to a certain date, for it gives every detail.

Rev. Mr. GREEN.—Yes.

Rev. Mr. GREEN.—I find in another book a resolution that a certain sum, £3 15s. 8d., should be placed in the hands of the clergy to be disposed of amongst the poor; so that it appears we have been taking portion of the school fund into the poor fund.

6719. Dr. TRAILL.—I find here this entry in the minute book of the governors; on December 11th, 1846, the Dean of Kilmore in the chair; Rev. John Drury, Rev. W. J. C. Carroll, and Messrs. Telford, Cathcart, and Rainford being present. "This meeting was specially summoned to consider what claim the minister has upon 26 Irish, being the interest on £103, commonly called Powell's Legacy." In the statement then made, on reference to the books of the parish, the following occurred with reference to part of the capital money to be paid for purchasing free-farm lease of premises in Grafton-street. "Mr. Powell's legacy of £100, and interest thereof, is to be distributed every Christmas and Easter to ten Protestant poor not on the parish list." Do you know anything about the receiver?

Rev. Mr. GREEN.—Mr. Cathcart is the agent. He receives a fee of two guineas for attendance; he receives the rents.

6720. Dr. TRAILL.—Can you give us an account of the expenditure last year?

Miss Susan Adams.—I have the sheet of the items, but I have not brought it here with me. I used to

May 11, 1885.

Rev. S. C.

Hughes.

May 14, 1885.
Rev. S. C.
Hughes.

write it out for Mr. Carroll, and he used to transfer it to the book.

6721. Can you give us those accounts from the year 1880?—You will find them all there in the books with the exception of last year. Mr. Carroll died in the month of October last year, and that, of course, would account for your not being provided with them.

6722. I think all the expenditure went through your hands, did it not?—Yes. I did not bring the accounts with me, but I can get them.

6723. Where are they, how far away?—Not far, they are at the school.

6724. Was the money paid through you?—Yes; some of it, but not all.

6725. Who paid the rest?—Mr. Carroll paid a good deal himself; he paid the teachers' salaries.

6726. And you paid everything but the teachers' salaries, I suppose?—Yes.

6727. Can you tell us what the expenditure was?—I only received the £5 for the widows' money.

6728. And with regard to the school, you were paid by Mr. Carroll you say?—Yes.

6729. You got £30, I believe?—Yes; £30 from the parish, but that does not include the Board's salary.

6730. Were these incidental expenses paid by you or by Mr. Carroll for the year 1885?—Some of them were paid by me.

6731. Professor DOUGHERTY (to Rev. Mr. Greenough).—I see there were some gentlemen who were paid two guineas a day for attending at the Commencement of 1880; they may have attended, but they certainly do not appear to have given any evidence. I do not know anything about that.

6732. Dr. TRAILL.—What would be meant by receivers' fees?—It must be the agent of the property. It must appear in the account. It gives the gross rental on the receipt side, and the receivers' fees would be deducted.

6733. Professor DOUGHERTY.—The agent would never think of charging two guineas for his own attendance. I suppose it is agents' fees—five per cent.

6734. I find in September, 1848, "Amount placed in error to the poor account, 206 0s. 3d."; I also find that the amount of stock sold since 1880, is £165 16s. 11d. If we deduct that from the amount spoken of in the report of the Commission of 1880, we should get the amount that should be correct. That amount is £350 5s., and if from that we deduct £165 16s. 11d., we have £184 8s. 1d. There ought to be that amount now!—What we got is £1 10s. 3d. half yearly; 18s. 11d. half yearly; and £3 15s. 11d. half yearly, which would be £6 5s. 7d. half yearly, or £12 11s. 3d. per annum. I fancy that all these items which give £12 11s. 3d., would be for the poor.

Miss Susan
Adams.

Miss Susan Adams sworn and examined.

6735. Dr. TRAILL.—Miss Adams, you are the mistress of these schools?—I am the principal teacher in the infant school.

6736. How many children are there on the roll?—There are 129.

6737. How many is the average attendance?—The average attendance for the last year was seventy-one.

6738. How many of those were boys and how many girls?—There were 38-5 boys and 38-5 girls.

6739. They are very nearly equal, in fact?—Yes.

6740. You do not know anything about the other school, do you?—Yes.

6741. You can give us the details with regard to it at the same time?—Yes.

6742. In the mixed school then, what is the number on the roll?—The total number on the roll is fifty-seven.

6743. And the average attendance is how much?—The average attendance for the quarter is thirty-four, and the average attendance for the year is thirty-three.

6744. How many boys and girls are there in that?—how many out of the thirty-three are boys, and how many are girls?—I do not think she has arranged that.

6745. Is there a special teacher for that school?—Yes.

6746. Does that not run very close to the minimum allowed for by the National Board?—Yes, thirty-five is the number. The teacher received from the National Board £40 17s. 6d., and she should have got £43.

6747. Has the average for previous years been thirty-five?—It has been about thirty-five for some years. It is generally about that.

6748. What I want to get is the diminished number. Or has it been pretty steady at about thirty-five?—I think it has been pretty steady.

6749. Seventy-one is the average attendance in your school. How many of those are Church of Ireland children?—Forty-five are Church of Ireland.

6750. Out of the seventy-one?—Yes, out of the seventy-one.

6751. And taking it out of the 129, how many are Church of Ireland children?—There are seventy-four Church of Ireland.

6752. How many are Catholics?—Forty-five.

6753. Professor DOUGHERTY.—Are there any Protestants?—There are ten Jews; no Protestants.

Rev. Mr. Greenough.—There is a colony of Jews there in that district.

6754. Dr. TRAILL.—I believe so. What is your own salary, Miss Adams?—I have £30 from the parish, and I have £37 from the National Board, and whatever I can make by results fees.

6755. You have £30 from the endowment?—Yes, and the results fees last year were £12 9s. 4d., and the total results on the school £18 14s.

6756. How does it differ from the other?—£12 9s. 4d. is my own.

6757. What is the £18?—Results.

6758. How many assistants have you?—One assistant and two monitoresses.

6759. That is an assistant female teacher?—Yes.

6760. What are they paid?—Last year the teacher was not the age, and she lost £25 by that.

6761. She did not get it?—From the National Board; her salary will now be £27 from the National Board.

6762. What does she get from the endowment?—About 29s.

6763. And will she continue to get that?—She will—with Mr. Greenough's permission.

6764. What are the monitoresses paid?—They receive nothing from the endowment. One receives £8 from the National Board, and the other £5.

6765. Professor DOUGHERTY.—Is there any provision for the partial maintenance of the children—for their clothing and food?—Yes; you will see that from the books. There is about £16 given from the funds to the children who qualify for the results examination, and get prizes.

6766. How much was spent yearly under the endowment for providing clothing, &c.?—£16. They used to get bread, but the bread has ceased now.

6767. How long is it since that ceased?—You will see that by the account book.

6768. Is it since 1880?—That ceased on the 37th June, 1885.

6769. How much was spent in the half year preceding that in bread?—£3 1s. 11½d.

6770. Dr. TRAILL.—Did you find that an advantageous thing for the small children; I suppose it was that they might not go home during the whole day?—There are some respectable children who would not receive it.

6771. Was it looked on as a matter of decency?—I suppose it was by those who received it. Children who received it did not bring bread with them.

6772. Was the bread given in the morning or at lunch in the middle of the day?—The bread was given in the morning, and I knew those who wanted it, and I gave it to them for breakfast.

6773. Those were poor children?—Yes.

6774. Professor DOUGHERTY.—The circumstances of the children are such that having such a provision is useful?—Yes.

6775. What about clothing—did the children who got the bread also get clothing?—No, only those who were brought up to the results examination gaining prizes.

6776. Dr. TRAILL.—A very good idea. I suppose you have no apprentice fund?

Rev. CHAS. GREENE.—No.

6777. Dr. TRAILL.—With regard to religious instruction, you are a member of the Church of Ireland yourself, Miss Adams?—Yes.

6778. What religious instruction do you give them?

—We teach them the Church catechism, Scripture lessons, and hymns.

6779. And there is a conscience clause affecting the Roman Catholic children who attend?—Yes.

6780. Is the religious instruction given before they go or after?—After; at half past two o'clock.

6781. Professor DOUGHERTY.—So that the conscience clause comes into operation?—Yes. Mr. Hughes comes once a week to examine the children.

6782. Dr. TRAILL.—Do you receive any remits fees under the Board of Religious Education?—No.

6783. Have you sent no children in?—No; my children of course are very small.

Rev. Mr. GREENE.—It is an infant school.

6784. Dr. TRAILL.—Of course. Who is the teacher of the other school?

Rev. Mr. GREENE.—Miss Manly.

6785. Dr. TRAILL.—Where is she?—She is at the school at present.

6786. Professor DOUGHERTY.—Mr. Hughes visits those schools as well as yourself?—Yes.

6787. Dr. TRAILL.—They have not been under the Board of Religious Education as regards prizes?—They have not. They were not sent in Mr. Carroll's time, and there were none sent in since.

PAROCHIAL SCHOOLS OF ST. NICHOLAS AND ST. LUKE, NEW-STREET.

Rev. J. D. Smylie and W. A. Hayes, Esq., attended on behalf of these schools.

William Andrew Hayes, Esq., sworn and examined.

Parochial
Schools of St.
Nicholas and
St. Luke, New-
street.

Witness
Andrew Hayes,
44.

6788. Rev. Dr. MOLLOY.—You appear before us, Mr. Hayes, with reference to St. Luke's Schools?—Yes.

6789. I believe that you claim exemption?—Acting as treasurer I was always under the impression that the funds were left for these particular schools for Protestants alone.

6790. Can you tell us the conditions under which the trusts were left?—I am not sure; they are old, and I have not had time now, I may say, inclination to look into them. They are very old.

6791. Dr. TRAILL.—Have you access to the will?—This is a book* (handing in book) in which there are extracts from the wills.

6792. Rev. Dr. MOLLOY.—What is this book that you have brought with you?—This little book has been lying in the box so long as I can remember, forty-five years perhaps. It gives extracts from the wills, and it refers to matters affecting the trusts.

6793. Would you begin by telling us what are the endowments that you have, and then give us the extracts which disclose the trusts of the endowments?—Well, following in the steps of former treasurers I follow the book with the purpose of seeing that I receive certain dividends that were in the habit of being paid for years.

6794. Dr. TRAILL.—Do you wish to give such evidence now as regards the administration of the school, subject to the question of exemption being examined into afterwards. Because that, of course, is a matter that will depend upon legal interpretation. There are I may infer you only two conditions upon which you can be considered to be exempt, namely, that the endowments have been left exclusively for persons of one religious denomination, and that the governing body belongs exclusively to that religious denomination. As a matter of fact then, are the endowments limited to one denomination?—As far as I understand they are.

6795. Professor DOUGHERTY.—Were they not for the benefit of the whole parish?—I never understood that they were, but they were open to all children in the parish.

6796. I understand that where a school was founded under the statute of Henry the Eighth, the school is

a public school of the parish, open to children without distinction of religious denomination?—As far as I ever knew they were altogether under the control of the Protestants.

6797. Dr. TRAILL.—Are you in a position now to say that the endowments were restricted to Protestants, or the Protestants of your own church?—Well, except from the fact that they have been using them.

6798. Are there any Roman Catholic or Presbyterian children at the school?—No, I have never known any of them. I think there are some Jews.

6799. On what pretence do the Jews come in?—They come in for the benefit of the education.

6800. You do not think they had a right to come in?—We do not feel obliged to change our system in any degree on their account. They come in subject to the teaching of the school. Without being exactly Protestant they get a Protestant education.

6801. We will take now these endowments of yours?—Some of these within my own memory were reinstated.

6802. Can you give us the extracts from the documents which will tell us what the wishes of the donors were?—The book which I have given you gives the extracts referring to these matters.

6803. Or would you wish to go into the whole case of the school as that of a school not exempt, reserving the question of exemption, because you do not seem to be in a position now really to prove that you are exempt?—I do not think in any case that the present body know much about that question.

6804. Professor DOUGHERTY.—Would not the preparation of a scheme be a good thing in any case?—I dare say it would.

6805. Of course you would like to have the endowments restricted in their application?—Yes.

6806. Suppose we come to the conclusion that your endowments ought to be exclusively applied as they appear to have been in the past for some time, would it not be well to have a scheme settled?—I think it would.

6807. Dr. TRAILL.—Subject to the question of exemption which we will resume for you, if you wish, would it not be convenient to you now to Mr. Smylie,

May 15, 1888.

William
Andrew Hayes,
Esq.

to go into the affairs of the school from the time that the report of the last Commission deals with it. It may be of very great use as it is in many other cases to have these endowments of yours put into safe shape in the future.—As far as my own opinion goes, I think it would be desirable that the funds should be so far secured, and be under the control of the governors, and be applicable as far as they were heretofore applicable.

6808. Are you in a position to give us an account of the money affairs of the schools?—Yes; I can tell you that.

6809. Rev. Dr. MOLLOY.—Then we had better get the several items of your endowment and the amount of each, and afterwards you will point out, if you can, the passages in the original deeds?—That is the thing which I am afraid I cannot do. Being a business man I had, of course, a good deal to do, and could not make myself up in these matters.

6810. Are you the Treasurer of the school?—Well, I am not exactly Treasurer. The board is the Treasurer. This book which you have was in the possession of Mr. Geoghegan.

6811. What is your official position?—I am one of the Governors, and I was Treasurer for Luke's. We are that the money is paid out; we lodge the money in the Royal Bank.

6812. Professor DOUGHERTY.—That little book you have handed in, and which contained extracts from the wills of a considerable number of benefactors of this parish, will, doubtless, give information?—I think that is the only book that will give the information. I never read it myself, but I take it for granted that it will be found to contain the information which you say you require.

6813. Rev. Dr. MOLLOY.—Will you give us the endowments as they are at present?—There is the Canal dividend on £1,000. The last dividend up to June.

6814. Professor DOUGHERTY.—What is the amount of the stock?—£1,000 in the Canal.

6815. And the dividend varies, of course?—Yes, that varies; on the 30th October, 1885, was £0 8s.; and on the 6th March it was £8 15s. 6d. That is the last dividend.

6816. Rev. Dr. MOLLOY.—How much was it for the year 1885?—It was £9 9s. and £3 15s. 6d., which would make £12 4s. 6d. for the whole year. Then there is Verschoyle's bequest.

6817. Dr. TRAILL.—That produced £35 15s. 6d. in 1880?—Yes.

6818. What is it; is it stock?—I do not know how it is produced. Then there is Allen Tindall, which pays 13s. 11d. half-yearly.—£1 7s. 10d. yearly.

6819. Then there are five houses, are these adjoining the school?—No; the houses adjoining the school are let to Barry. Slater's holding I think must have been the five houses, because I understand there was some alteration in Newstreet some fifty or sixty years ago, and that the Widewater Commission lodged a sum of money in Chancery—which now amounts to £844, the income of it in 1885 was £34 10s. 6d.

6820. Rev. Dr. MOLLOY.—Will you tell us what the houses are?—Slater's houses, £15—

6821. Dr. TRAILL.—For the year?—Yes. There are some houses in Patrickstreet, £21. Then you have the representatives of William Barry—these are the houses next the school.—£29 12s. 6d. is the profit rent which they produce. They are in Newstreet.

6822. Rev. Dr. MOLLOY.—Then you have two blocks of houses in Newstreet?—Yes; one next the school and one at the far end.

6823. What is the amount for that?—They pay £58 7s. 3d. in the year.

6824. Professor DOUGHERTY.—You are a little better off now than you were in 1880?—The premises adjoining the school was the only thing purchased in my memory.

6825. Dr. TRAILL.—And it is let by lease to one tenant for forty-five years?—Yes.

6826. Professor DOUGHERTY.—You have the £36 which is mentioned in the first part of this report?—Yes.

6827. You have the stock put down as £1,080, whereas it says in the report of 1887 that it was reduced to £900 by means of some stock operations?—Yes.

6828. The amount varies, then?—No.

6829. It has not been touched since 1880?—No. We never sold any of this at all. It was purchased long before our time.

6830. All that is held in trust for the benefit of the school?—Yes, some of that was recently sold.

6831. What is the total dividend?—£34 7s. 9d. per half year, £68 15s. 6d. a year.

6832. New Three per Centa?—Yes.

6833. Do you know how much capital stock these dividends represent?—Yes, I can tell it up for you.

6834. Dr. TRAILL.—It is all Three?—Yes, except £15 Four per cent. India. I make out that the dividend of £68 15s. 6d. represents £2,325 stock.

6835. Professor DOUGHERTY.—Have you any other sums standing in the Three per Centa?—I think we have no other sums.

6836. Rev. Dr. MOLLOY.—Are you in a position to know, Mr. Hayes, whether any of the funded property has been sold out since the enquiry was held in 78-80?—Yes, there has been certainly some.

6837. For what purpose?—For the improvement of the schools.

6838. Dr. TRAILL.—How much was that?—I think it was £300.

6839. What has it been sold out of?—The Three per Centa.

6840. Professor DOUGHERTY.—The tot of the two sums which appear to your credit is £2,325 &c. is the names of the minister and churchwardens of the parish, but this sum represents both what is for the schools, and what is for the poor. There are no grantees which come out of that. Is that the only reduction?—Yes.

6841. Then let us have the exact figures?—That would represent £700; that would bring it up to about £2,325.

6842. You say you have sold £300 since?—£200 or £350; I am not sure which.

6843. Is that the total amount?—Yes. There is £1,000 Consols. That, probably, would be put down as Government stock.

6844. That, on the whole, would make you better than you were in 1880?—Yes.

Dr. TRAILL.—If you work out the figures you will find it is £3,520.

6845. Rev. Dr. MOLLOY.—What is the next item, Mr. Hayes?—I do not think there is any other item.

6846. Professor DOUGHERTY.—Don't you receive a dividend from some money held by the Commissioners of Charitable Donations and Bequests—£400?—Yes. That is a legacy producing £13 15s. 10½d. half-yearly, £27 12s. 8d. yearly.

6847. What is the history of that legacy?—I think the little book will tell you.

6848. Have you Batchelor's legacy?—I do not think that goes to the school. I think it goes to the poor of the parish. That was probably a mistake at the time.

6849. Rev. Dr. MOLLOY.—Does that complete the several items of endowment that you have for the school?—Yes. I think that is something about £290 a year.

6850. Your income is administered by the board of governors for the benefit of these two schools?—Yes, for the benefit of these two schools.

6851. How is your board of governors constituted?—There has been no change for a long time; when one of the governors at any time dropped off another was elected in his place.

6852. How are they elected?—Amongst themselves.

6853. They co-opt?—Yes.

6854. And how many of them are there?—There are four or five.

6855. Dr. TRAILL.—It is difficult, I suppose, to get them to attend, as there is not much for them to do?—Well, they don't always attend.

6856. Professor DOUGHERTY.—Do they belong to the parish?—They do.

6857. Rev. Dr. MOLLAT.—And they are members of the Protestant Episcopal Church?—Yes.

6858. If they do not attend, who is it that administers the endowment, precisely?—Why, a quorum of three will do; and if the minister and one of the churchwardens and another attend, it will do. I am one, and I live there. There is not so much difficulty about it at all. The principal business that has to be transacted is to draw a cheque for the teachers' salaries.

6859. Dr. TRAILL.—Then, we may take it that it is practically managed by yourself and the churchwardens and the clergymen?—Yes, practically it is.

6860. Are you one of the churchwardens?—No, I am not.

6861. Rev. Dr. MOLLAT.—Well, if the entire governing body consists of four or five members, and if you have three attending out of that number, I should say, with our experience of other cases, that it is a very fair attendance?—We generally have three at the meetings.

6862. Have you got the minute book here?—Yes.

6863. I think we have now got the full amount of your income?—Of course you know the school could not by any means exist upon these funds, of which you have already heard, and so there is generally a charity sermon on their behalf.

6864. In each parish do you mean?—Well, they are united now. It is in one church—St. Luke's Church.

6865. Are there two churches in the united parishes or only one?—Only one.

6866. Has one of the churches gone into disuse?—Yes; it was some time about the time Mr. Guinness repaired St. Patrick's Cathedral, and the church was included in that.

6867. The parish church of St. Nicholas Without.

6868. How much do you get from the sermon?—It has fallen off a good deal from what it used to be in former years. It includes of course subscriptions, practically which are given on the occasion of the annual sermon when the collection is taken up. Formerly the amount received from it used to be about £100.

6869. And how much does it amount to now?—From £60 to £80.

6870. Dr. TRAILL.—How do you administer these funds?—Well, the teachers' salaries come to £18 monthly.

6871. Are you under the National Board?—No, we are not.

6872. So the salaries at £18 a month amount to £216 in the year?—I have the total amount here as £221.

Rev. Mr. Smylie.—There is something extra for service.

6873. Dr. TRAILL.—The expenditure for the salaries of the teachers takes up the entire amount of your endowment?—Oh, yes.

6874. Then, of course, after that, the sum realised by the annual sermon has to be used?—Yes, and even after that we are still in debt. The amount of the sermon even does not make it up.

6875. The attendance at the infant school is, I see, sixty?—Yes.

6876. Is that the number on the roll, or the average daily attendance?—It is the number on the roll, but the attendance I believe is always up to the mark.

6877. What is the other attendance?—That at the boys' school is sixty-one, and at the girls' school is thirty-three, which would give 124, and adding the sixty, attendance at the infant school, would bring the total attendance up to 314.

6878. Rev. Dr. MOLLAT.—Your infant school is larger than either the boys' or girls' school?—Yes.

6879. How does that come about?—Our children like to go to other schools further away from the school. For of course you know there are some schools now which are very popular, and which they are anxious to attend, such for instance, as the Killarney-street Schools. Our younger children of course cannot go so far away, and that is the reason why the attendance at the infant school is larger.

6880. The total salaries I find are—in the infant school £44 and £36, making £82 there. Then, in the boys' school there is for the master £85, and assistant £24, making £109 there; and in the girls' school there is for the mistress £45, and for the monitor £3, making £48 there. This makes a total expenditure for salaries of £221?—Yes.

6881. And the servants £24?—Yes.

Rev. Mr. Smylie.—Then we have a clothing list also for boys and girls. We spend about £50 in clothing every year. And there is also the expenditure for fuel and gas.

6882. Professor DOUGHERTY.—Where does the money for that expenditure come from?—It comes from the funds of the school.

6883. It does not come from the endowment?—No.

6884. Dr. TRAILL.—The cost of clothing added to the salaries, would be more than both the income from the endowment, and the sermon put together?—It requires about £300 a year to defray all the expenses of the schools.

Mr. Hayes.—The clothing is drawn from the Dorcas Society to some extent. If the school was a little pressed by circumstances it might generally be relied upon to come to its assistance.

6885. Dr. TRAILL.—The Dorcas Society is a voluntary association of ladies?—Yes.

6886. Are you in debt now, as a matter of fact?—Well we were always hard up.

Mr. Hayes.—The first thing of course is to pay the teachers, and after they are paid the other sources of expenditure have to be considered.

6887. Dr. TRAILL.—Why do you not go under the National Board, and get the teachers' salaries paid?—Well as a matter of fact that question has been under discussion, but we have not determined with regard to it. The former clergyman was opposed to going under the National Board—he held very strong views with reference to that subject, and out of respect to Mr. Halahan, they would not like to do anything which he would be likely to regard with not very much pleasure.

6888. Rev. Dr. MOLLAT.—The objection to the National Board is that theirs is a mixed system and you prefer a denominational one?—Yes.

6889. Have you any other items of expenditure?—Yes; there is coal and gas. There are small items of rent. We pay a head rent of £3 9s. 2d. for the school house, and then there is rent paid to the Commissioners of £3 7s. 4d.

6890. Some ground rent?—Yes.

6891. What is the amount of the coal and gas?—They appear in the accounts.

6892. £280 is, you may say, the year's expenditure?—There are some school books occasionally, fees for examination, &c.

6893. How is the school inspected?

Rev. Mr. Smylie.—By the Diocesan Inspector.

6894. By Mr. Tristram?—Yes.

6895. Professor DOUGHERTY.—Have you any apprentice fund in that parish?

Mr. Hayes.—Not that I am aware of, I never knew anything about that.

6896. Rev. Dr. MOLLAT.—The members of your board of governors are always from one denomination?—Yes.

6897. Dr. TRAILL.—Is there in the book you have headed in a summary of all the wills in which

May 13, 1886.

Witness
Andrew Hayes,
1897.

there are bequests to the endowment?—Yes, there are more than those which refer to the schools, because of course some of them refer to the parish charities as well.

6898. Have you any legal adviser to control the documents?—No.

6899. Professor DOUGHERTY.—If we can agree that the application of this endowment should be exclusive, is there anything, do you think, to be gained by your contending that you are exempt. I think not.—We do not want to go against what you think, certainly.

6900. Dr. TRAILL.—We should know whether you were coming in, not being exempt, or whether you were coming in of your own free will?—Well, the governors were certainly under the impression that we were as a matter of fact exempt.

6901. Rev. Dr. MOLLOY.—As far as we can see on the face of it our opinion is that you are exempt, as the endowments of which we have heard are restricted to the members of one religious denomination; but we cannot finally decide until we see these deeds of trust. If we find that you are exempt, it will be for you to consider whether or not you may wish to get a scheme from this Commission to administer the funds of the endowment.

Rev. Mr. Sneyd.—When we have another meeting of the governors I would like to be in a position to know what it is that we are to understand by what you call a scheme. What we, speaking for the governors, would be afraid of is this—we have a great many poor people in our parish, and it would, I need hardly

I am sure impress upon you, be a tremendous blow if any of the money of this endowment was directed to any other purpose.

Rev. Dr. MOLLOY.—It cannot be, I may as well say, directed to any other locality or to any other purpose. Professor DOUGHERTY.—We are obliged to confine it to the use for which it was intended.

6902. Dr. TRAILL.—What it is important for you to bear in mind is this—that the ministers and church wardens, as a corporation, have been disestablished, and it is desirable that you should be placed in a position in which your funds could not be misused.

Mr. Hayes.—I have been so long there I think it my duty to attend as best I can to the interests of the endowment. Some one must do it. I am in business in the parish; my sons have got too much to do, and Mr. Parker, a very respectable man in the parish, won't take it up, so that I, for my part, would be most anxious to see anything that was necessary done to fix the endowment on a firm and safe basis.

6903. Dr. TRAILL.—Do you find that the system of co-optation of your governors is a sufficiently good system to secure you a fair attendance at the board; for instance, do you think it would be a good thing to have a provision to the effect that if a governor did not attend any of the meetings of the board for, say, twelve months, that he should be removable?—Yes, it would; but, in our case, I may say that I do not think there is any one of the governors who has not attended, at all events, six times in the year.

The Commission adjourned.

May 12, 1886.

WEDNESDAY, 12TH MAY, 1886.

Present:—Rev. GERALD MOLLOY, B.D., D.D., F.R.U.I., ANTHONY TRAILL, Esq., M.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A.

The Secretary, Wm. EDWARD ELLIS, Esq., LL.B., and the Assistant Secretary, N. D. MURPHY, Junr., Esq., were in attendance.

ST. GEORGE'S PARISH SCHOOL.

Rev. T. L. SEAT appeared on behalf of the governing body, and applied for an adjournment of the case.

The case was adjourned generally, a day to be fixed for the hearing when intimation is given that the governing body is ready.

WESLEY COLLEGE, STEPHEN'S GREEN.

Dr. WELLS, Q.C.—I appear on behalf of the governing body. They claim exemption on two grounds; first that the endowment, so far as it is an endowment, consists of voluntary subscriptions or accumulations of their investments; and secondly, that the endowment is applicable, and provided exclusively for the benefit of persons of a particular religious denomination, and is under the exclusive control of persons of that denomination. The institution was formerly the Wesleyan Connexion School, and came into existence in the year 1845. The former institution was originally built by means of debentures of £10 each; but all these debentures were either surrendered by the parties or paid off in the year 1856, when there was an effort made on the part of the connexion to raise £20,000 for connexional purposes, and out of this these debentures among other things were paid. Wesley College has been built at an expense of about £18,000, which was procured as follows.—Sir Cecil Guinness paid £1,000 as the value for the surrender of the last year of the old lease of the premises, under which the Wesleyan Connexion School was held.

6904. Dr. TRAILL.—Did they become Sir Cecil Guinness's property?

Dr. WELLS, Q.C.—Yes, they were surrendered a year before it was necessary, and he paid £1,000 for that privilege. Then there was a grant from the Methodist Conference, out of a fund called the Obadiah Wilsdon Fund, of £1,000. There was a second grant

from the Conference, out of what was called the Thanksgiving Fund, amounting to £3,431. There were accumulated profits from the old establishment amounting to £2,435; and there was £7,000 raised on mortgage. That makes £14,866, and to make up the £18,000 there was a sum of £3,114 odd or thereabouts, which was gained by voluntary subscriptions in England, Ireland, and America. The establishment is held and conducted on the present moment under a deed of trust, of the date of 31st May, 1878, and that deed of trust relates the history of the institution. [Council referred to the terms of the deed.]

6905. Rev. Professor DOUGHERTY.—Does this provision, as to religious instruction, apply to day scholars as well as to others?

Rev. Dr. M'KEE.—Day boys are not obliged to attend.

Dr. WELLS, Q.C.—I submit, that on the very face of that deed, it is clear that the institution is exclusively for the benefit of the Wesleyan body, and is under the exclusive control of persons of that denomination, and that it is exclusively for their benefit. The only thing that can be read against that is the introduction of the day scholars, but the day scholars are introduced for the benefit of the institution, for the purpose of adding to its funds, and they do not in the slightest degree neutralise or impair the exclusive character of the institution as a Wesleyan Metho-

St. George's
Parish School.Wesley Col-
lege, Stephen's
Green.

Dr. Wells, Q.C.

that college. That, briefly, is the whole of the facts I am instructed to lay before you. The reason that they claim this exemption is not from any desire to reject the jurisdiction of the Commissioners or withdraw themselves from it, or because they are insensible of the advantages that might attend their being under the jurisdiction of the Commissioners, but they are not their own masters. You will see that there can be no alteration made in any one point of this trust deed except on the initiative of the Wesleyan Conference.

I appear merely for the committee of management, who are merely the nominees and the agents of the Conference, which is not in sitting now, and which only sits once every year, I believe.

6006. Rev. Professor DOUGHERTY.—Is there any question of making application to the Conference for leave to come in, here, and to obtain whatever benefits this Commission might be able to confer upon you in the way of incorporating your governing body, and so on?

Rev. Dr. McMillan.—We had the conviction all along that we had no desire to be free from the jurisdiction of this Commission, and we shall be prepared, very probably, when the Conference meets, if you decide that we are exempt, to ask the leave of the Conference to submit a scheme.

Dr. TRAILL.—The difficulty that I have is that I must have regard to the decision given by the Judicial Commissioners in a former case. The opinion I expressed myself on that occasion I hold very strongly as I hold still, that any funds provided for supporting an establishment for one denomination are exclusive funds; but I cannot shut my eyes to the fact that the decision of the Judicial Commissioners in the case of St. Peter's was the other way, and that where funds, as in the case of St. Peter's parochial schools, were provided, so far as the boarding-

school was concerned, exclusively for members of one religious denomination, the fact that the same rule did not apply to day children at St. Peter's prevented them being exempt. That is the only difficulty I have in my mind. If you can show us in any way that this does not come under the decision of the Judicial Commissioners in the case of St. Peter's, my difficulty will be removed, because I point out to you that the words at the top of page 12 are rather strong. If they had no provision here at all for day pupils, if the scheme had simply provided that these endowments were to be used for boarders, all of which boarders were to be exclusively of the Wesleyan religion, then, notwithstanding the fact that your board of management had, either on their own responsibility or with power given to them, brought in day boys, for the purpose of supplementing the funds of the establishment, I should be inclined to hold that you were entirely exempt, but the words at the top of page 12 are that it is first of all for the free education, or partly free education, of the sons of the ministers, and for the further purpose of providing such board and residence, with instruction, as aforesaid, or instruction alone, without board or residence, for general pupils. I hold, myself—it is my own opinion—that you are exempt.

Rev. Dr. Moulton.—We think that prima facie you are exempt, and that practically there is no doubt about your exemption, but we do not wish to give an absolute judgment on the matter until it is considered by the full Board of Commissioners. If you are declared exempt, as practically you may regard yourselves to be, then in case you wish to get the intervention of the Commission, you will come before the Commission with this advantage, that it must deal with your endowment as one provided exclusively for the benefit of the Wesleyan body.

Mr. Theodore Cronheim, Solicitor, sworn and examined.

6007. Dr. Webb, Q.C.—You prepared that deed (copy deed of trust of Wesley College, Stephen's-green, produced) I—I did.

6008. And you have got the parchment in your custody?—Yes.

6009. And you are ready to prove it?—Yes.

6010. And that is a true copy of it?—Yes.

Mr. Theodore Cronheim.

Rev. T. A. McEee, D.D., sworn and examined.

6011. Dr. TRAILL.—I want to ask you just to prove the statement here that in the carrying out of this scheme, as a matter of fact, this compulsory rule of religious instruction applies to all your boarders?—Yes.

6012. And does it apply to your day boys?—No.

6013. How is religious instruction given?—They begin the day at half-past nine, and the first half-hour is devoted to the reading of Scripture, and prayer, and of course it is well known; but since the Intermediate Education system has been established we are obliged to be more particular. We gave due notice, and there is a general excuse given to anyone who is absent, that is, each one is free from all excuse who comes in at ten o'clock for the general work of the school, and therefore there is no obligation upon anyone, except where the parents require it.

6014. Is it done on the request or sanction of the parents in each individual case, or left to the decision of the boy?—Under and by permission of the parents.

6015. Professor DOUGHERTY.—You work the school under the conscience clause of the Intermediate Act?—Yes.

6016. Dr. TRAILL.—Now, as a matter of fact, how many of the boarders in the school do you know are not Methodists? I hold a service myself, and none are expected to attend my special religious service but

members of the Methodist church, and from that I might infer that we have about one-half, or perhaps a little more than one-half, regarded as Methodists.

6017. Are you the chaplain as well as the head master?—I am called governor and chaplain.

6018. You are not the head master—you are the "chaplain and governor" of the school?—Yes.

6019. Rev. Dr. Moulton.—To clear up this matter, do you consider that the object of this endowment is exclusively for the benefit of the persons belonging to the Wesleyan Methodist body?—I could not say that in my own mind. It was originally designed, and of course in the primary sense it is still designed, for the benefit of the Methodist church, but we hope it does more good than that.

6020. Then do other religious denominations share in the benefit of the endowment?—Well, as a denomination I do not think so.

6021. Professor DOUGHERTY.—They share in the advantages of the school?—They share in the advantages of education.

6022. Dr. Webb, Q.C.—On payment?—Yes.

6023. Rev. Dr. Moulton.—I suppose the endowment is benefited by the success of the school, and you promote the success of the school by receiving all religious denominations that come?—Yes, I think so.

6024. Dr. TRAILL.—Now, is there any distinction

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Rev. T. A.
McKen, D.D.

made among your boarders between those that are Methodists and those that are members of other denominations, in regard to the matter of fees?—Oh, no.

6925. Have you reduced fees?—The only distinction is, that we admit the sons of Methodist ministers, and I am paid from a fund for those. That fund applies only to them.

6926. Now, do any of the boarders go to any other place of religious instruction on Sundays?—We have given, in the prospectus, permission to any boy to go to any church to which he belongs, provided that I am satisfied that he is taken in responsible charge.

6927. Now, as a matter of fact, in the working of that institution, on Sundays where do your boys go to?—All that are Methodists go to the Methodist Church in Stephen's-green.

6928. Where do the other boys go that are not Methodists?—They go with the Methodist boys, and to the churches of their own denominations—when taken in charge by friends to their own denominations.

6929. Have you any master that belongs to the Church of Ireland to take charge of the boys who are members of the Church of Ireland?—No, we have no provision of that sort.

6930. Does anyone come for them, as a matter of fact, to take them to St. Matthias's, for instance?—There are several who take them on Sunday evening. There are some on Sunday morning, to spend the day with their friends and attend their own churches.

6931. Have you any boys who have no friends in Dublin, who as a matter of fact go to any other church?—No; we do not give them liberty to go wherever they please, but it must be by special arrangement.

6932. Do members of the Church of Ireland attend your services on Sunday?—Oh, they do.

6933. Professor DOUGHERTY.—I suppose the parents who send their children to you as boarders are perfectly well aware of the arrangements of your school with regard to Divine worship?—Oh, very well. It is

printed in the common prospectus that we do not allow the boys to go where they please, of themselves.

6934. I suppose you would find it very seriously to interfere with the discipline of your school?—Yes.

6935. Dr. Webb, Q.C.—As a matter of fact, do the young gentlemen whose parents are not members of the Methodist Church receive religious instruction in the school at all?—Frequently.—The boarders?

6936. Yes!—Many of the day boys attend daily religious instruction, but none of them attend by services which are confined to the boarders.

6937. Dr. TRAILL.—You are bound to give to all the boarders residing in the house religious instruction in conformity with the doctrines of the Wesleyan Methodists, and such religious instruction and no other doctrine whatever shall be taught that are not in accordance with the notes and sermons of John Wesley—so that you could not teach the Church catechism for instance in your school?—We have never tried.

6938. Professor DOUGHERTY.—And I suppose you would not take them through the sermons of John Wesley, would you?—No.

6939. Dr. TRAILL.—Now, I am quite with you that it is an exclusive endowment, myself, subject to the decision of the Federal Commissioners; but suppose you take a boy going on fourteen, fifteen, or sixteen years of age, a member of the Church of Ireland, suppose the time comes for his confirmation, have you any machinery, or do you allow anybody else, to prepare him for confirmation, by the teaching of the Church catechism?—No.

6940. Have you ever at the request of his parents been asked for permission to prepare him for confirmation?—What we do is this: I arrange with Canon Wynne, and he takes them in his class.

6941. That is St. Matthias's?—Yes.

6942. Does he come to them specially?—No, they go to his own class.

6943. How many go to Canon Wynne's?—Only two at present.

Rev. Walter McKellen, D.D., sworn and examined.

Rev. Walter
McKellen, D.D.

6944. Dr. Webb, Q.C.—I believe the cost of this institution has been about £18,000?—Yes.

6945. Including the purchase of the site?—Yes.

6946. Can you tell the Commission how that sum of £18,000 was made up—first of all what did you get from Sir Cecil Guinness?—£1,000.

6947. What was that for?—For the surrender of the lease in 1875 or 1876.

6948. A year before the time?—Yes.

6949. Then you got a grant from the Conference, out of the fund called the Oladhik Wisdom fund?—Yes.

6950. How much was that?—£1,000.

6951. I think you got another grant from the Conference, from what is called the Thanksgiving Fund?—Yes. In the appropriation it was £4,000, but the Thanksgiving Fund did not realize so much as was contemplated, and a certain proportion only was obtained.

6952. Is that £3,431?—Yes, up to the present time. We may get another £100 or £200.

6953. Were there any profits realized from the conduct of the old school before this school?—Yes.

6954. What did that amount to?—What you have stated there.

6955. Then you have raised money on mortgage of the premises?—Yes, I am sorry to say.

6956. Dr. TRAILL.—Have you paid off any of that £3,000?—Well, very little of it is paid off.

6957. Dr. Webb, Q.C.—That amounts to £14,866—how is the rest made up?—By voluntary subscriptions in Ireland, England, and in America.

6958. And those subscriptions are for a Wesleyan institution?—Yes.

6959. Openly and avowedly for an exclusively Wesleyan institution?—Oh, yes; and I am sorry to say we have no endowment; we never had.

Rev. Dr. Meador.—We consider that a building which cost £18,000 is a very substantial endowment.

St. James's
Parochial
Schools.

Rev. Thomas
Tomlinson.

ST. JAMES'S PAROCHIAL SCHOOLS.

Rev. Thomas Tomlinson sworn and examined.

6960. Dr. TRAILL.—We want to know the state of the endowment at present. We want to bring up the history of any endowment you have got from 1850 to the present time, and to know whether any stock has been sold out and what you have got at present. This £200 of Grand Canal stock that was left by Mr. Fleasants, who left his Grand Canal stock to a great many institutions in Dublin; are you still trustees or in possession of that £200?—I get the interest every year from the Canal Company for the stock.

6961. What does that interest amount to?—Well,

it has fallen very low. Last year it was £8 16s. for the half-year; and this half-year it is £7 5s. or something.

6962. Has any of your stock been sold since 1860?—No.

6963. Do you get under the will of Cordelia Ory £9 5s. still?—Yes; I get £9 5s. for the school and £9 5s. for the widows—£18 10s. a year.

6964. You have got the site free?—Not for the schools. We pay Mr. Roe for the schools £5, for the ground rent for the schools, and then we have got a

master's house and a widows' house, another plot of ground which is adjoining, and then we pay £5 a year for that—£5 a year—and he always gave it to us until this year—gave it back in subscriptions; and that is the receipt I gave in (produced).

9965. £6 and £3 he puts it here, instead of £5 and £3. The school is £6 and the widows' house £3. You say £5 and £3?—(Witness.)—He gives £5 to the school, £3 to the widows, and £3 to the clothing fund; and that is for every year since I was appointed in 1867.

9966. And these are amounts paid to Mr. Roe?—Paid to Mr. Roe.

9967. And he has always given back the money as his subscription hitherto, up to this last year. Then your total income is £33?—That is from endowments, but I also get subscriptions, as you will see here from this, which I publish every year. There is a sermon, and I give the subscriptions and the whole state of the case there (document produced containing announce-

ment of annual sermon, with subscription list, and balance sheet).

9968. From this account your interest on the Canal debentures was £18; the Cary charity, £9 5s.; collection in church, £3 14s. 8d.; subscriptions, £40 7s. 6d.; grants of Church Education Committee, £5 17s., and £2 5s.; returned income tax, £1 4s.; part of salary not paid, £2 14s. 5d.; total £88 3s. 7d. 1—Yes.

9969. Part of salary was allowed?—Well, the present master here had not commenced, and I put down the original salary, £50, and I did not think of it till afterwards.

9970. Then your expenditure on the other side is the £50 for the master and mistress's salary, subject to this reduction on the one year?—Yes.

9971. Costs £5 and rent £5 1—Yes.

9972. And the total expenditure has exceeded your revenue by £24?—Yes, because the ceiling was falling, and it cost us over £40, but last year we got free from that.

Mr. William Cunningham, Master of the Schools, sworn and examined.

Mr. William Cunningham.

9973. Dr. TRAILL.—The return of the number of pupils in 1880 was 50 on the roll, 82 on the average. Of those 50, 44 were members of the Church of Ireland, and 6 were Roman Catholics. What is the number at present on the roll?—I strike a new roll every three months, and those boys who are irregular in their attendance I do not put on, and the number at present is 39. I was appointed only in January, 1882.

9974. Give us the number for the year?—The number of boys that have entered the school and gone, and those who remain at the present time, is 75, i.e., 78 boys' names have been placed on the roll or register from January 1875 to the present date.

9975. Seventy-eight boys?—78 boys, but we have never had that number together in the school. The present number on the roll is 39, but the number is very fluctuating owing to circumstances, and the fact of parents very often changing their residence, or their situation, in the locality.

9976. Would it vary so much that out of 76 different boys in the year, you would only have 39?—Yes, it often does. They come and go within a week, perhaps, five or six sometimes. There is great moving about the place. They are principally the children of the employes about Guinness's brewery, and of persons who come to reside in the locality.

9977. But they are not movable persons?—Well, they are, very often, in their selection of residences in particular, just as they improve in position and circumstances, or as they leave their situations altogether.

Rev. Mr. FOSBROOK.—They often go out of our parish into St. Catherine's, and St. Luke's.

9978. Dr. TRAILL.—I suppose you refer more particularly, not to the children moving about from one school to another, but to the parents of children moving to other habitations?—Yes.

9979. Do you find that children of persons in the same parish are moved in the same way from one school to another?—No; some boys I have for years past, some for forty years past, but as a rule the boys come and go under circumstances which oblige them to change.

9980. Now of those thirty-nine on the roll how many are members of the Church of Ireland?—Thirty-two.

9981. How many Roman Catholics?—There are six, but we have had no Roman Catholic within the last two months. They are very irregular. They come by fits and starts just as it suits them, in fact children of poor parents, who are obliged to go and earn their bread. The parents see in very humble circumstances, and then when they get a job they go away, and they come back after a few days. Mr. Tomlinson has no objection to allowing them to come back.

9982. Is there no school for Roman Catholics now at hand?—Yes, there is.

9983. You say thirty-two are members of the Church of Ireland, and six Roman Catholics. What is the remaining boy?—A Presbyterian—we have had him for two years.

9984. Rev. Dr. MOLLAT.—[To Mr. Tomlinson.]—Do you receive no grant from the National Board?—Rev. Mr. Tomlinson.—No; we get £6 17s. from the Church Education Society.

9985. Rev. Dr. MOLLAT.—But you would get more than that from the National Board?

Rev. Mr. Tomlinson.—Yes, but I object to the National Board.

9986. Rev. Dr. MOLLAT.—On account of the mixed system?

Rev. Mr. Tomlinson.—No; but I consider it my duty as the minister of the parish to teach every person who comes under my control in the holy Scriptures.

9987. Professor DOUGHERTY.—But you do not teach the Church catechism to the Roman Catholics?

Rev. Mr. Tomlinson.—No, we do not require them to be present.

9988. What advantages do you derive from the Church Education society?

Rev. Mr. Tomlinson.—We get £8 17s., and the first year I got £3, and this year I only got £2.

9989. Dr. TRAILL.—Have you an annual sermon?

Rev. Mr. Tomlinson.—Well, I gave one for the Church Education Society.

9990. Dr. TRAILL.—Do you collect as much for them as you get from them?—About one-twentieth. I subscribe myself half a sovereign.

9991. Professor DOUGHERTY.—How is it that the endowment which you receive from the Church Education Society has been going down in the way you have described?

Rev. Mr. Tomlinson.—Well, they had some of the funds in the Munster bank and they only got half.

9992. Dr. TRAILL.—Oh, well, that is not lost; it is only delayed.

Rev. Mr. Tomlinson.—And the subscriptions, I think, have fallen—they are divided among more schools in the country, and the sum that they give is spread over a larger number, so that that reduced as; but we are able to get on.

9993. Professor DOUGHERTY.—Does the society send an inspector?

Rev. Mr. Tomlinson.—Yes.

9994. Professor DOUGHERTY.—Who is the inspector?

Rev. Mr. Tomlinson.—Mr. Wilkinson.

Witness.—He is called Professor Wilkinson.

9995. Professor DOUGHERTY.—How often does he come?—Witness.—Once since I have been appointed. He has been once at the school, but he is supposed to come twice a year. He has been only recently appointed Inspector under the Church Education Society.

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Mr. William
Cunningham.

Rev. Mr. Foulness.—We have three schools—
Dolphin's-horn and Mount Brown.

6995. Professor DOUGHERTY.—Does the grant from the society depend at all upon the results of his inspection?

Rev. Mr. Foulness.—No; the £8 17s. has been left for St. James's parish by some fund which I do not remember anything about.

6997. Professor DOUGHERTY.—They simply pay over to you an endowment to which you are entitled under deed of gift or will?

Witness.—I do not think that is the way.

Rev. Mr. Foulness.—Yes, the arrangement was that there were several schools in Dublin under the Church Education Society, that we are paid a certain amount from the Church Education Society, though some of them have ceased; and I believe St. James's now is perhaps the only single school in Dublin that gets anything from the Church Education Society. But that came from the original society—that society which joined the Church Education Society.

Mrs. Mary Cunningham sworn and examined.

7004. Dr. TRAILL.—Can you give us the details of the girls' school, as Mr. Cunningham has given of the other?—I began a new quarter this month, and there are thirty-two at present on my roll. Last month there were a great many more, but a great many of our older girls are gone to business during the past fortnight.

7005. Give the roll and the attendance for last year?—It is as follows:—

Month.	Average on Roll.	Average Attendance.
January,	30	17
February,	32	21
March,	35	19
April,	32	18
May,	32	20
June,	30	21
August,	33	19
September,	37	18
October,	39	20
November,	35	24
December,	33	20

My average attendance is for the last twelve months twenty—in 1885 it was twenty-eight.

7006. How many of those are Church children?—I have got two Roman Catholics in the school at present. They are very small children, just in the infant class.

7007. I thought you had an infant school separate?—No; they are combined now, since 1882 when I became mistress. All the other Church of Ireland.

7008. Then your attendance has gone down very considerably since 1880?—Next month it may be just as high again. There were a great many children who have had a great deal of illness, scarlatina, during the last three months. Last quarter I had as many as 46 on the roll.

7009. I am talking of the rolls of last year; what was your highest number?—Thirty-nine.

7010. And in 1880 it was 87—30 infants and 17 girls—then your attendance has gone down since 1880?—Not daily attendance. They were then two separate schools.

7011. Rev. Dr. MOLLOY.—What is your daily attendance now?—My average for the last six months was only 20, but that has been only through illness.

7012. Dr. TRAILL.—The average that you gave us was twenty-eight?—That was for 1882, and I may next quarter have twenty-eight again or perhaps more, because the children are beginning to come back now after being ill. Last week, for instance, I had twenty-four.

7013. How many of those twenty-eight are Church children?—Twenty-six.

7014. And two Roman Catholics?—Two Roman Catholics.

7015. And no Presbyterians?—No. I had two children last week who came back after having had scarlatina, being absent for two months.

6998. Dr. TRAILL.—The Kildare-place Society?

Rev. Mr. Foulness.—No; the British School Society, which we had here a great many years ago.

6999. Dr. TRAILL.—Did they formerly give you more than £8 17s.?

Rev. Mr. Foulness.—Never.

7000. Dr. TRAILL.—But it seems very small. You could teach your children the Scriptures just as well under the National Board.

Rev. Mr. Foulness.—I think we could.

7001. Dr. TRAILL.—Why not get a good grant where you can?

Rev. Mr. Foulness.—Well, that is the point. I feel myself bound in conscience to teach everyone that comes under my care the Scriptures.

7002. Dr. TRAILL.—Would you not be satisfied to teach your own children the Scriptures?

Rev. Mr. Foulness.—No; I would not.

7003. Dr. TRAILL.—Is the school also imparted by Mr. Tristram?

Witness.—No, never.

7016. What salary do you receive?—£30.

7017. (To previous witness).—Mr. Cunningham, what do you receive?

Mr. Cunningham.—£30.

Rev. Mr. Foulness.—He is clerk and sexton of the church and marriage registrar, as well as officer of the burial ground or churchyard.

Mr. Cunningham.—And I have fees for marriage which make the salary.

7018. Rev. Dr. MOLLOY (to witness).—Do you teach all the children the Scriptures?—Yes.

7019. And any form of religion as well?—The church catechism to church children only.

7020. And do you let the parents know?—They all know that when they come they are expected to listen to the instruction if they are not able to read, and receive instruction generally from me, both in the scriptures and the church catechism.

7021. Mr. Cunningham (to witness).—Not Roman Catholic children?—Witness.—They all receive it. I give religious instruction to the Roman Catholic children and to the Protestants together.

7022. Dr. TRAILL.—That is to say, you do not sit who is who?—No, sir; they do not object.

7023. Professor DOUGHERTY.—I thought you told us that you did not teach the church catechism to the children who did not belong to your church?

7024. Mr. Cunningham.—Certainly not. I never did. (To his wife).—You never teach the church catechism to the Roman Catholic children. You are making a mistake.

Witness.—Only the Scriptures, not the Church catechism.

7025. Rev. Dr. MOLLOY.—That is, you instruct them in the Scriptures?—I instruct them in the Scriptures.

7026. According to your views of course?—Yes, and the clergyman comes three times a week.

7027. Not a Catholic clergyman?—No, sir.

7028. Dr. TRAILL.—Who is your curate?

Rev. Mr. Foulness.—Mr. Fletcher.

7029. Rev. Dr. MOLLOY.—Where is your school situated?—Witness.—James's-street, 183.

Rev. Mr. Foulness.—It is in the classic locality of Murdering-place, just as you go down Bowbridge.

7030. Professor DOUGHERTY.—Do you receive anything from the Gascoigne bequest?

Rev. Mr. Foulness.—No, I never heard of it. The fact of the matter is, I did not get a single document.

7031. Will you allow me to read to you an extract from the report of 1858:—

"In a return to an order of the House of Commons relating to schools and education in Ireland, dated 16th February, 1854, there appears a statement on the part of the Commissioners of Charitable Donations and Bequests

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Cunningham.

to the effect that Mr. Gascoigne bequeathed £9 a year to the St. James's school, Dublin, for ever, that the Commissioners had been able to interfere as to this, and that an amount of £60 had been paid and the future payment of the annuity secured."

Rev. Mr. Fennell.—Never heard a word about it. 1032. Professor DOUGHERTY.—Would it be worth your while to make inquiry?

Rev. Mr. Fennell.—Of the Charitable Bequest Commissioners?

1033. Professor DOUGHERTY.—Yes.

Rev. Mr. Fennell.—Oh, yes; I was yesterday making inquiry about Cordelia Cary to get the information.

1034. Now it appears that the number of pupils in these schools is diminished, and that your grants from the Church Education Society, which we may regard as in a mortgaged condition, are also diminished. Would there not be an advantage in considering whether having regard to these facts, you should amalgamate this school with some of the adjoining schools, St. Catherine's or St. Luke's?

Rev. Mr. Fennell.—No; it would not be suitable at all for the parish. Our school is in the very centre of the poor district of the parish. Old Kilmainham goes down to the Circular-road, you know, and it takes in all that ground, Erwin-street, James's-street, and Bow-lane, and Beane-lane and Echlin-street; so that it is in the very locality.

1035. Professor DOUGHERTY.—But I understand that St. Catherine's school is also within a very short distance of your school.

Mr. Cunningham.—The place is such a great thoroughfare, I know for a certainty that the children living in the neighbourhood object—that the parents object to send their children down there. They would not do it without running the risk of having them killed.

1036. Dr. TRAILL.—Do you claim exemption, or do you want a formal scheme for any purpose?

Rev. Mr. Fennell.—Oh, no.

1037. Rev. Dr. MONAGHAN.—You prefer to be let alone?

Rev. Mr. Fennell.—Yes.

ST. PAUL'S SCHOOLS.

St. Paul's Schools.

Rev. Arthur R. Barton sworn and examined.

Rev. Arthur R. Barton.

1038. Professor DOUGHERTY.—You are the rector of St. Paul's—I am.

1039. Do you wish to claim exemption in the case of your schools?—No; we do not, for the simple reason that we cannot find out the origin of our endowment, whether it would come under it or not.

1040. Would you be kind enough now to state, so far as you can, your endowment?—We have just got one endowment of about £850, in the three per cent stock, in the Bank of Ireland, in the names of the rector and churchwardens of St. Paul's for the time being.

1041. Is that endowment charged with any specific trust?—We could not find out any original deed or anything. We went to the bank and all I could find out was that there were three different sums in three different times that were allocated.

1042. How much does this produce annually?—I am sorry I did not bring the exact sum, but it is £85 odd, half-yearly.

1043. Is the whole endowment attached to your school?—The whole endowment.

1044. I see in the report of 1880, that the money invested in City Debentures is reported as producing £14 2s. 6d. annually, and in addition to that there is an interest in Cave's and Goff's bequest that produces £16 10s. 1d.—This is the one I refer to, Cave's and Goff's bequest. It is in the Bank of Ireland as I stated. As to that other amount you refer to, our school, when I came there in 1879, had only thirteen children, and in 1883 those debentures were sold out in order to help towards the building of a new schoolhouse. We had very wretched accommodation, and our schools had very largely increased and we were obliged to build a new residence.

1045. Dr. TRAILL.—What was the amount of the capital sum of the debentures?—The sum that they were sold out for was £336—four new city debentures.

1046. Did you build a new schoolhouse?—Yes.

1047. What was the cost?—£850.

1048. How did you raise the balance of the money?—Parish collections form the balance of the money.

1049. Can you give us some information about the present condition of the schools?—In 1879 the average was only 15, when I came there. I knew nothing of them previously. When I came there was an average of about 13 in the whole school, mixed boys and girls, under a mistress—an average of about 15 I was told in 1879 when I came.

1050. Professor DOUGHERTY.—I see that in 1880 you are reported as having an average of 40 1/2—Quite

so. We were placed under the Board when I came to the parish, and at once it sprung up.

1051. When did the average increase?—In 1880.

1052. Are the schools still conducted as a mixed school taught by a mistress?—No, they are separate; a boys' and a girls' school now.

1053. When did that spring you spoke of take place?—1880 or possibly the end of 1879.

1054. Now give us the number at present in the different schools?—On the roll in the girls' school we have sixty-three, with an average attendance of forty-eight. In the boys' school, on the roll forty-seven average attendance thirty-seven.

1055. A very important increase. Now can you give us the number of teachers employed in each school?—A master and mistress, and monitor and monitoress.

1056. Now give the salaries—first the salary of the male teacher?—First the master receives from the National Board a salary of £35 a year, and results fees and school fees.

1057. Dr. TRAILL.—How much?—Well, the results fees average about £10, and the school fees, I think might be put down as £12.

1058. Professor DOUGHERTY.—£22 altogether?—£22. And then from the parish we pay £10 a year, with a free residence.

1059. Is that £10 from the endowment or from annual subscriptions?—The annual subscriptions and endowment are in one fund, and we pay out of that one fund.

1060. Then the mistress?—The mistress, £27 from the National Board, and results fees about £9 a year, and school fees £10, and parish subscription £7 10s., without a free residence.

1061. Dr. TRAILL.—And the monitor?—The monitors simply £5 a year from the National Board.

1062. Professor DOUGHERTY.—Can you give the denominations of the children attending your school?—Very nearly. They are all church children except about eight Methodists—five and three.

1063. You have no Presbyterians?—I think not at present. We had two last year.

1064. And no Catholics?—No. We have had occasionally Catholics, but not at present.

1065. Have you any charitable fund in connection with the parish?—We have a small endowment for a widows' almshouse, and a small endowment from the Commissioners of Charitable Donations and Bequests for the poor—only £4 half-yearly.

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Rev. Arthur
R. Berrie.

7065. You have no clothing fund applicable to the children attending your school?—No.

7067. And you don't give any clothing?—No.

7068. Have you any apprentice fund?—Oh, yes, an apprentice fund—Love's charity.

7069. When did you utilize it?—I utilized one yesterday or the day before.

7070. What is the amount you receive out of Love's charity?—£30 Irish currency.

7071. Is this charity restricted to that fund?—I think it is. I think very rarely they get a double fee, but I myself never got anything but the £30 Irish currency, single fee.

7072. Was this a Protestant boy?—Yes, a Protestant boy to a Protestant master.

7073. What trade?—Carpenter, under a builder.

7074. What position did he hold in the school?—I mean what class was he in?—I should say fourth class.

7075. What age was he?—Seventeen.

7076. Rev. Dr. MOLLOY.—What is the certificate of your teacher?—He is only third class.

7077. And the mistress?—Only third class.

7078. Do you claim exemption from this Commission, or do you wish to have a scheme?—We are quite satisfied as we are.

7079. Dr. TRAILL.—Is there anything we can do for you about the money, for example?—It is so simple as it is.

7080. Professor DOUGHERTY.—Do you see any advantage in amalgamation, so far as your parish is concerned?—Well, it seems to me that St. Michael's school is very close to us, and it seems to me to be struggling. It is just beside us.

7081. Do you see any objection to amalgamating your school as a parochial school with St. Michael's?—No objection if they come to us.

7082. Having a joint board?—No objection.

7083. Dr. TRAILL.—You have a good school now?—We have a good schoolhouse, and we should not like to leave it.

7084. Would you amalgamate if somebody else came to you?—Yes.

7085. In whose name were these debentures invested that enabled them to be sold out with such facility?—I should say the treasurer of St. Paul's school.

7086. In whom is the Cave and Goff's bequest vested now?—The Incumbent and churchwardens of St. Paul's parish for the time being.

7087. That did as long as the minister and churchwardens made a sort of ecclesiastical corporation. That has been all dissolved, but would it not be of great advantage to you and to all the other parochial schools, to have your endowment put on a better bill if there was a concentrated body representing the church generally, in which these could be all vested, so that the capital should be secured, and the money paid to you exactly as it has been?—Quite so; but hitherto we have had no need for facilitation.

7088. Would you have any objection to a concentrated body in whom the funds could be legally vested?—No, if they are a body we can trust to.

7089. I mean a Church body?—Oh, no; no objection whatever.

Adjourned.

May 22, 1886.

THURSDAY, 18TH MAY, 1886.

At the Offices of the Commission, 23, Nassau-street, at eleven o'clock.

PRESENT: Rev. GERALD MOLLOY, B.D., D.S.O., F.R.S.E.; ANTHONY TRAILL, Esq., M.D., LL.D., F.R.C.S.; and Professor DOUGHERTY, M.A.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., and Assistant-Secretary, N. D. MURPHY, Esq., were in attendance.

UNITED PAROCHIAL SCHOOLS OF ST. AUDOEN, ST. NICHOLAS WITHIN AND ST. MICHAEL, ST. JOHN AND ST. WERBURGH.

7090. Mr. W. Anderson, q.c. (Instructed by Mr. A. P. Moffat).—I appear on behalf of the united parochial schools of St. Werburgh's, St. John's, &c. As regards a considerable portion of the funds applicable to these schools we might claim exemption, but there are certain other portions we could not claim exemption in respect of, and the governing body, after consideration, have determined not to claim any exemption, but to send in a scheme. On examining the vestry book of St. John's parish I find the following minute dated the 30th January, 1895-6. [Council refers to copy minute and hands it in.] That shows the origin of the St. John's schools, that the intention was to teach poor children and poor servants to read and learn the Church catechism. Subsequently in 1897 the first parochial school-house was built close to the present school-house, and the first collection in church for the children was in the same year. It is clear that at all events the intention was to have a purely sectarian school in which to teach these people to read and learn the Church catechism. In 1783 a sum of money seems to have been collected, about £1,200 from various sources, from sermons, also from church rents, which I suppose were for rents in the channel as distinguished from the general part of the church. This £1,200, together with £400 borrowed on mortgage, were invested in the purchase of premises in what was then known as Smock-alley, but now known as West Essex-street. They were conveyed to Randall McDonnell in trust for the schools for £1,600, of which £400 was advanced upon mortgage by his partner, Andrew Gibbons. The date of the title is

April 16th, 1783; declaration of trust 37th June, 1783, by Randall McDonnell, and mortgage to Andrew Gibbons dated 29th June, 1783. The rent of the premises is now part of the fund supporting the school. Randall McDonnell stated that a considerable part of the money was not his own proper money, but the sole and proper money of the children of the said charity school, which was invested in the said purchase, and the said deed of trust was taken by us as trustees for the said school under the management and control of the said governors. It would appear that Randall McDonnell went into receipt of the rent of the premises from 1783 down to 1896, and to have paid himself off out of the rents, and subsequently, it appearing that this £400 had been paid, there was a re-conveyance to the governors of the premises, and a trust was declared by the trustees that the premises were held for the sole use and benefit of the children of the charity school and their successors and for no other use or purpose whatsoever. Ever since that time the rents of these premises, which amount to £108 5s. 8d. and subject to a head-rent of £32 12s. 10d., form portion of the fund out of which St. John's parochial schools have been kept up. It would appear evident that originally the £1,200 was got by collection from house to house and was the result of voluntary subscriptions. No other information with reference to where the £1,200 came from can be obtained. Therefore, what we submit is that these premises would be exempt, the purchase money being the result of voluntary subscriptions and the accumulation of voluntary subscriptions. We are, however,

United
Parochial
Schools of St.
Audoen, St.
Nicholas
Within and St.
Michael, St.
John and St.
Werburgh.
Mr. Anderson,
q.c.

quite willing to come in and do whatever the Commissioners should suggest.

The next portion of our property is the John's-lane premises where the old school-house was. We use the owners in fee of that. It is sublet at present in tenements and produces about £24 10s., less taxes and repairs, about £7 14s. 8d. We have no information at all as to how these premises became ours. Being old school-house premises they must have been acquired by the governors for the purposes of the school.

1091. Rev. Dr. MOLLAY.—The presentation is the premises were got for the purposes of the school.

Mr. Anderson, q.c.—The present schools were the old demary of Christ Church, and they are now vested in the representative Church body, under the Church Act, who allow us to use them for schools, but they are the owners of the place.

1092. Rev. Dr. MOLLAY.—The present school buildings are the old demary of Christ Church?

Mr. Anderson.—Yes, the old schoolhouse of St. John's is now let in tenements.

1093. Professor DOUGHERTY.—You derive a rent of £24 10s. from it, and the present school is a rented school.

Mr. Anderson, q.c.—That is so, and the old St. John's school premises are vested in the churchwardens. The next item is a sum of £800 Irish, lent by St. John's school to St. John's parish estate, so far back as 1765, to assist in rebuilding the church at that time, and which produces an annual income of £21 8s. 4d. It was acquired apparently in the same way as the £1,000, and was money that had accumulated.

1094. Professor DOUGHERTY.—Is the old church of St. John's still in existence?

Rev. Canon GREEN.—No, it has been taken down and a schoolhouse built on the site of St. Fishamble-street school it is called.

1095. Dr. TRAILL.—Who pays the interest?

Rev. Canon GREEN.—The authorities of St. John's Church. There is a vicar and churchwardens and a distinct vestry for St. John's.

1096. Dr. TRAILL.—What is the meaning of having churchwardens when there is no church?

Rev. Canon GREEN.—There are churchwardens for St. John's, St. Werburgh's, and St. Bride's, simply because the property of these parishes was vested in the names of churchwardens, and we found it necessary to keep them up.

1097. Professor DOUGHERTY.—Have you considered whether a body could be incorporated under a scheme which would take over the property of these parishes and administer it for parish purposes?

Rev. Canon GREEN.—It is totally separate property. We should be unwilling to give over parish property to a body which would have the management of school property alone.

1098. Professor DOUGHERTY.—Suppose it was virtually the same body which has the management at present?

Rev. Canon GREEN.—I am quite sure the parishes would never consent to that.

1099. Dr. TRAILL.—If the school funds were to be administered by a church authority, would it not be wise to hand it over to the parochial church authority?

Rev. Canon GREEN.—The funds are under separate management, and funds intended for one purpose, should not be given to a board intended for another purpose. These different parishes have separate property of their own.

1100. Mr. Anderson, q.c.—The next item of income for St. John's parish is derived from charity sermons and subscriptions for St. Werburgh's and St. John's. The sermon is preached in St. Werburgh's church. Last year it amounted to £24 13s. 9d. The next item is a sum of Government stock, present amount, £128 6s. 8d. This is portion of a larger sum of stock, from the year 1859 down. It was invested in 1859, and now forms portion of the funds of the school. In 1859, £50 consols bought for £57 11s. 11d.; in 1862,

£75 consols bought for £79 10s. 4d.; in 1864, £75 consols bought for £67 3s. 7d.; in 1865, £60 consols bought for £34 4s. 10d.; and in 1866, £50 consols bought for £44 0s. 1d. These were all savings from the fund, and invested in this way. There was a piece of ground adjoining the school, and it was about being bought up for a knacker's yard. It was not considered a knacker's yard would be a very desirable neighbour for the school in a sanitary point of view, and accordingly portions of the consols were sold out, and the piece of ground was bought up for £100. It was let lately on a twenty-one years lease to the Messrs. Sutherland, who pay a rent of £30 a year for it. Then the next item in respect of St. John's parish is Southwell's bequest, September 28th, 1738. On looking at Southwell's will, I find it directed that £650 should be invested in the purchase of free-simple property, and out of the proceeds be directed that £5 should be paid annually to fourteen parishes, to be employed and applied by the respective ministers and churchwardens towards the education, support, and relief of the poor children of the respective parishes. It produced £44.

1101. Dr. TRAILL.—Who has the custody of the principal?

Rev. Canon GREEN.—The churchwardens of St. Werburgh's. It is invested in Government stock, but it is mixed up with other moneys, on which we receive the half-yearly dividend of £52 18s. 4d.

1102. Professor DOUGHERTY.—Have you a copy of Southwell's will?

Mr. Anderson, q.c.—We have it in a book.

Rev. Canon GREEN.—There are other moneys mixed up in this besides Southwell's.

1103. Dr. TRAILL.—The Southwell bequest is primarily vested in you, and distributed by you to the other parishes?

Rev. Canon GREEN.—Yes.

1104. Rev. Dr. MOLLAY.—What is the date of that bequest?

Mr. Anderson, q.c.—It is a very old bequest, September 28th, 1738. The next item of income is a dividend from the bequest of the Rev. John Barrett, £8 8s. 4d. Dividend from widow Anne Wallis's bequest, £3 18s. 2d. for the parish schoolhouse of St. John. Then there is the bequest of Miss Sarah Shaw to the charity school of St. John. We get from that a dividend of £1 1s. 10d. per annum. I think I have given now all the different items applicable to St. John's.

1105. Professor DOUGHERTY.—Do you know if any of these bequests are charged with specific trusts for apprentice fees or clothing?

Mr. Anderson, q.c.—I understand from the extracts supplied to me that Anne Wallis's bequest was simply for the parochial school of St. John's, and Sarah Shaw's bequest for the charity school of St. John's.

1106. Professor DOUGHERTY.—You have no apprentice fund?

Rev. Canon GREEN.—No, not as such. We give sums to apprentice boys who leave the school, but not as apprentice fees.

1107. Mr. Anderson, q.c.—We cannot trace the origin of St. Werburgh's school. We have a lease of the premises of St. Werburgh's school dated 1st February, 1844, and in that there is a special covenant that the managing committee of the school and all who assist in it shall hold the doctrine of the Church of England and Ireland as by law established; so this school would come within the exemption clause, because there is that strong covenant. The next is this grant of the rent of a house, 93, St. Stephen's-green, to St. Werburgh's parish. Strictly speaking this is not school property at all, and the parties in whom it is invested are considering the propriety of stopping this as a grant to these schools. It is derived under the will of David Bellingham. (Read passage from the will granting the house 93, Stephen's-green). And it was vested by deed in the churchwardens of the

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Mr. Anderson,
q.c.

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Mr. Anderson,
q.c.

parish of St. Werburgh's. £76 5s. 6d. is what is in the account as the rent, but apparently that is entirely a voluntary payment by the churchwardens for the benefit of the schools, for originally it was for the poor of the parish.

Rev. Canon Greene.—It has been practically stopped.

7108. Mr. Anderson, q.c.—The next item is what is called the parish fund; this is money invested in Government stock.

7109. Professor DOUGHERTY.—How long was the £76 5s. 6d. applicable to educational purposes?

Rev. Canon Greene.—For a long time.

7110. Dr. TRAILL.—Did the churchwardens pay it to you last year?

Rev. Canon Greene.—Yes; they have paid it for last year.

7111. Professor DOUGHERTY.—What are the grounds for its proposed withdrawal?

Rev. Canon Greene.—I think the grounds were, the churchwardens, knowing it was not school property, wished to keep the control of it in their own hands.

7112. Professor DOUGHERTY.—In any scheme which may be settled, would not the churchwardens have the same control over this property that they have now?

Rev. Canon Greene.—I cannot say.

[Dr. TRAILL reads section 5, sub-section 1 of the Act.]

Mr. Anderson, q.c.—That would apply where there was a mixed fund paid over to the governors of these schools for a different purpose. This is a fund over which the churchwardens have absolute control, much in the same way as any person giving a voluntary subscription might do.

7113. Professor DOUGHERTY.—For how many years has this fund been applied to the purposes of education?

Rev. S. C. Hughes.—Ninety-five years.

7114. Mr. Anderson, q.c.—The next item is the general parish fund, £50 a year.

7115. Dr. TRAILL.—Is that a voluntary contribution?

Rev. Canon Greene.—That is part of that sum in new Three per Cent., which contains amongst other things Southwell's bequest.

7116. Professor DOUGHERTY.—Southwell's bequest is set out separately.

Rev. Canon Greene.—Yes, but it is paid from a sum of money in the funds. It included the money of Southwell's bequest.

7117. Professor DOUGHERTY.—Then it represents not only annual subscriptions, but interest on the original endowments belonging to the parish?

Rev. Canon Greene.—Yes; that is made up of various sums, and the best part of it is Southwell's money.

7118. Professor DOUGHERTY.—The parish of St. Werburgh's under Southwell's will derives greater advantage than the other parishes?

Rev. Canon Greene.—Oh, yes. He left a sum for the establishment of scholarships in the Blue Coat Hospital, and we have the Southwell lectureship in our church. He was a parishioner of St. Werburgh's. One of the clergymen of St. Werburgh's is the Southwell lecturer and there is a lecture every fortnight.

7119. Mr. Anderson, q.c.—The next item is an income from Southwell's bequest, £2 4s. 4d., and bequest of Joseph Goff, £1 11s. 8d. Under a will of the 25th April, 1836, he left £200 to the parochial Protestant schools of Dublin except St. Bride's. The next is William Tew's bequest, £1 7s. 8d. Under will of the 8th May, 1836, he left £20 to the minister, churchwardens, governors, and treasurers of the charity school of St. Werburgh's.

7120. Dr. TRAILL.—These are vested in the Commissioners of Charitable Donations and Bequests?

Mr. Anderson, q.c.—They are. That exhausts the incomes of St. Werburgh's and St. John's. St. Werburgh's and St. John's are now united and have

one rectory and there is only one church, the old church of St. John's having been recently taken down.

7121. Rev. Dr. MOLLOY.—Can St. Werburgh's retain the same rights it hitherto had to this common school after it withdraws its share of the contributions to the extent of £76 a year?

Rev. Canon Greene.—I think it will; they will deal with St. John's and St. Werburgh's as one parish, treating them as one parish.

7122. Rev. Dr. MOLLOY.—Is it open to each parish to withdraw its contribution as it pleases?

Rev. Canon Greene.—Is it open to St. Andrew's, St. Nicholas Within, and St. Michael's to withdraw from St. Werburgh's and St. John's, or for the latter two to withdraw from the other group of parishes?

7123. Professor DOUGHERTY.—While the partnership continues can each withdraw portion of its contribution?

Rev. Canon Greene.—No.

Mr. Anderson, q.c.—St. Werburgh's and St. John's form one part; St. Andrew's, St. Nicholas Within, and St. Michael's another. It is open to the three latter to withdraw from the two former, or the two former from the three latter.

7124. Professor DOUGHERTY.—Can one parish withdraw or seriously diminish the amount of its contribution?

Rev. Canon Greene.—Not as regards what are strictly school funds.

7125. Dr. TRAILL.—Are they only united for school purposes?

Rev. Canon Greene.—Only for school purposes and day school purposes.

7126. Professor DOUGHERTY.—Do the contributions of these two united parishes, St. Werburgh's and St. John's, exceed considerably the other three?

Rev. Canon Greene.—Certainly. St. Werburgh's and St. John's are much richer than the other three, by two-thirds.

7127. Mr. Anderson, q.c.—The parochial fund of St. Andrew's in 1859 was £371 13s. derived from voluntary subscriptions and bequests. A portion of it was applied in rebuilding the church or doing something of that kind. The only other income is Field's bequest, £1 7s. 10d. a year, and Southwell's bequest again comes in, £2 4s. 4d. I now come to St. Nicholas' parish. The income of St. Nicholas' is £33 5s. 6d. derived from premises in Ship-street, held in fee. This was originally the result of savings and collections invested in the purchase of lands. Then there is the bequest of Cordelia Carey, £4 12s. 6d., and Southwell's bequest, £2 4s. 4d.

7128. Professor DOUGHERTY.—In a former report there is a reference to Cave's legacy. The report states, "It thus appears that the lapse of time has not improved the financial position of the school, and that in fact were it not for Cave's legacy of £600 received in 1845, the income of the institution would now be under £3 a year from Southwell and Traill's bequest, although in 1826 there was a clear realised income of £50 a year. The only thing to show you the expenditure of the trust fund is a schoolhouse stated to have cost £330." The report goes on to say "there are sixteen boys on the foundation, who receive one suit of clothes in the year each, and are apprenticed at the expense of Cave's charity." That appears to him as 1845, and there ought to be some trace of it?

Rev. Canon Leeper.—I never heard of it before. Our old books are lost or mislaid.

7129. Dr. TRAILL.—You will find a reference to it in St. Paul's parish. You will find they got £16 13s. in St. Paul's parish school from it.

Mr. A. F. Moffet (solicitor).—It is in St. Nicholas Within. You will find reference to it at page 90.

7130. Professor DOUGHERTY.—You appear to have got £500 from Cave's bequest. There is another charity, Powell's; is there any trace of that?

Rev. Canon Leeper.—None whatever.

7131. Professor DOUGHERTY.—It is £200. With regard to that particular fund, it is stated it was

for apprenticing. If ever applied to that purpose it would have long ceased to exist as a distinct fund, being mixed up with other trust funds, but the Cave bequest should be got at!

Rev. Canon Leaper.—I applied for information to the Bank of Ireland about it, and to the Commissioners of Charitable Donations and Bequests. It might have fallen into the general parish fund.

Mr. Anderson, Q.C.—Cave's bequest is not taken in as part of the income of St. Nicholas' at all.

7132. Dr. TRAILL.—You might be able to trace it, because in St. Paul's it is called Cave and God's bequest.

Rev. Canon Leaper.—The origin of that £3 6s. 8d. in the general parish fund I never could find. It may be Cave's charity.

7133. Mr. Anderson, Q.C.—The only other parish in St. Michael's. The income of it is only Tinchel's bequest, £1 1s. 10d., and Southwell's bequest, £1 1s. 2d.

7134. Rev. Dr. MOLLAT.—Southwell's bequest appears to have fallen into account!

Mr. Anderson.—For a year.

7135. Professor DOUGHERTY.—There are some other bequests mentioned in the previous report, Quin's bequest, £2 8s., and Bachelor's bequest!

Rev. S. G. Hughes, LL.B., sworn and examined.

7137. Mr. Anderson, Q.C.—You are one of the clergymen of the united parishes of St. Werburgh's and St. John's?—Yes.

7138. Have you got the old vestry book of the parish?—Yes (produced).

7139. Do you produce the entry of the 29th January, 1695 and 1696?—I do.

7140. Dr. TRAILL.—You made a copy of that entry?—Yes.

7141. Mr. Anderson, Q.C.—Have you got the custody of the title deeds?—I have the custody of the title deeds.

7142. I am keeping each parish separate. We produce the original purchase deed of the 10th April, 1732 (handed in). This is a deed of conveyance, 1732, to Randall M'Donnell relating to the purchase of premises in Stock Alley; declaration of trust of Randall M'Donnell, 1732; mortgage to Andrew Gibbons, 29th April, 1732 (handed in).

7143. There was a conveyance of the 3rd July, 1806, by Gibbons. Conveyance to trustees, of 3rd July, by Randall M'Donnell. And declaration of trust of 3rd July, 1806 by these trustees?—Yes (six deeds handed in).

7144. Do you know the John's Lane premises?—I do.

7145. Have they ceased to be used as school premises?—They have for about sixty years.

7146. What are they used for now?—They are set in tenements, and the rents collected weekly by an agent of ours.

7147. What are the rents?—Gross sum £25, subject to rates, about £7 10s. a year.

7148. No rent is paid for them to any body?—No rent has been paid for them, and never has been paid. I believe they are built on portion of the ground of St. John's church.

7149. Have you been able to trace any of the money that was lent to the parish estate?—Yes. I copied this statement from the vestry book. In 1772 the school lent the parish £400 Irish; in 1774 they lent £275 Irish, and there was a balance of £25 of an earlier date, making a total debt of £600 Irish. In 1858 payment was made by the parish estate to the school, but in 1866 a sum was borrowed again, leaving the debt £600 Irish on which interest is paid of 4 per cent.

7150. Did you find any deed or other document as security for that advance?—No.

Rev. Canon Leaper.—These are for the poor, and I still receive them.

7151. Mr. Anderson, Q.C.—I have now stated to the Commissioners the different funds in respect of these parishes with the view to fringing a scheme. A considerable portion of these funds are derived from voluntary subscriptions, and would be, strictly speaking, outside the scope of this Commission, but we are willing to have a scheme framed, and we ask you, in doing so, to bear in mind the sources from which these funds are derived. If you will allow us we will frame a scheme for the working of these schools.

Rev. Dr. MOLLAT.—It would be convenient for us if you would draw it up in the form in which it should ultimately appear. We would also desire that you should accompany it with a memorandum stating the grounds for any change you wish to establish, and giving us any facts or reasons for the principles you follow in the framing of it.

Mr. Anderson, Q.C.—As I understand we are at present at liberty to prepare a scheme, and submit it to you. What evidence do you require to be given?

Rev. Dr. MOLLAT.—You can call witnesses to prove the facts you have laid before us.

7151. Do you know in whom the parish estate of St. John's is vested?—The rector and churchwardens.

7152. What does the parish estate consist of? Is it land or money?—Some house property, and we are getting a rent for the site of St. John's church.

7153. Have you been able to trace in any book the source from which the £1,300 that was originally invested in the purchase of the houses was derived?—Yes; the 8th March, 1697-8, there is a minute which refers to the seats in the church of St. John's church. There being a dispute between the rector and the vestry whether the seats belong to the rector or the vestry, it was agreed the money for the seats within the church shall be applied for the use of poor scholars. That applied to six seats in St. John's church.

7154. Part of the £1,300 was raised in that way?—Yes.

7155. Did you trace any other portion of it?—Yes, a box was kept in St. John's church. It is constantly referred to in this book, beginning in 1697, a voluntary box for poor scholars.

7156. Professor DOUGHERTY.—Is that a book kept by the governors?—Yes; it begins in 1697, and ends thirty years after.

7157. Mr. Anderson, Q.C.—That is a second source of the endowment?—Yes.

7158. What are the other sources?—Another source of the £1,300 was from voluntary subscriptions, and a further source was the annual sermon. That was a matter of notoriety and there is reference to it in all the Dublin newspapers for the last century. Sometimes even bishops collected in the church, and ladies, every effort being made to make the collection as large as possible.

7159. Are you the honorary secretary of the schools?—I have been since they were united, now eight years.

7160. Dr. TRAILL.—We want the roll, the average attendance of the children, and the denominations to which they belong, the roll for the boys and girls?—The infant school is divided into an infant school and a baby school for small children. I made out a return of the attendance of children on the roll, it is in the printed report for 1855. During the year 310 children received combined religious and secular instruction in the daily schools, the average attendance for the year is very high, being 308.

7161. You divide these into classes?—Yes, boys

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Mr. Anderson,
Q.C.

Rev. S. G.
Hughes, LL.B.

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Rev. S. C.
Hughes, M.A.

49, girls 38, infants 115. The sex of the infants is about equal, at least almost to a fraction.

7162. Rev. Dr. MOLLOY.—How do you account for the number in the infants' school being larger than the number in the boys' and girls' school?—Because we have a few very respectable children, who when they get advanced, are sent to the training school in Marlborough-street, and also because of the very early age at which girls are withdrawn.

7163. After they leave the infant schools are they sent to other primary schools in Dublin?—Very few, except those of a better class.

7164. Dr. TRAILL.—Do many go to Ralph Macklin's schools?—About a dozen.

7165. The return gives the average attendance for the year at 292?—Yes, I ascertained it in April; 292 is the gross number on the roll; in the infant school 140 last month, and on the roll of the boys' school 65, and on the roll in the girls' school 51.

7166. What are the religious denominations of the children?—There are 245 of the Church of Ireland, seven Presbyterians, and one Jew.

7167. Are there any Roman Catholics?—No Roman Catholics.

7168. Rev. Dr. MOLLOY.—These schools are not connected with the National Board?—No.

7169. Do you give religious instruction according to the doctrine of the Protestant Episcopal Church?—Yes, to all the children. My custom is if I know a child is a Presbyterian to ask him to bring a message from his parents whether they object to his learning the Church catechism, but they are taught the Bible along with the other children.

7170. Professor DOUGHERTY.—Do you charge school fees?—Nominally, but only one child out of every five actually pays. The school fees amounted to £7 12s.

7171. Do you give any advantage to the children attending your schools in addition to the education they receive?—We do. In the accounts you will see an item of £19 15s. 3d. for bread given in the infants' school.

7172. When is it given to them?—As a luncheon at twelve o'clock. You will see also an item for clothing to the extent of £51. We lay down as a rule that every child attending two-thirds of the year is entitled to clothes.

7173. That accounts for your high average attendance?—Yes; £51 11s. the clothing amounted to last year.

7174. Dr. TRAILL.—Have you any special fund allotted to that?—No.

7175. Professor DOUGHERTY.—You provide clothing for apprentices?—Yes, in every case of children going to trades we give them a suit of clothes.

7176. Have you any apprenticeship fund in connection with your schools?—It is mixed up with the Powell bequest.

7177. I see in your statement of accounts some paid in apprentices fees?—Yes, apprentice fees given by Canon Greene.

Rev. Canon Greene.—Those two sums only make up £18 odd.

Dr. Smith.—The conditions of the apprenticeship are very much altered; now the boys commence with a small salary of a couple of shillings a week.

Rev. S. C. Hughes.—Portion of the apprentice fees means the difference between English and Irish money.

7178. Professor DOUGHERTY.—This united parish does not get a larger proportion of the apprentice fees because Canon Greene happens to be the administrator?

Rev. Canon Greene.—We take every step to divide it fairly.

Rev. S. C. Hughes.—We have a larger proportion of the poor boys.

Rev. Canon Greene.—We have five schools, and of course we would be entitled to more.

7179. Professor DOUGHERTY.—What is your opinion of the effect on the population of the parish of the remission of school fees?

Rev. S. C. Hughes.—A great many poor children, if their father happens to be out of work, find it impossible to pay school fees, and they are sent to the reformatory school and ragged schools where they get a free breakfast.

7180. Rev. Dr. MOLLOY.—Do you try to get school fees from all who are able to pay?—Nominally we do, but it is hard to get them.

7181. Professor DOUGHERTY.—Some people say the remission of school fees has a pauperising tendency?

Rev. Canon Greene.—The pauperism comes first and then the school fees are not paid. If we insisted a child should produce a penny a week, that child would not come to the school.

7182. Was not Ralph Macklin's school originally in your parish?

Rev. S. C. Hughes.—No, never.

7183. There was a proposal to transfer the Ralph Macklin endowment to your parish?

Rev. Canon Greene.—I am sure it would be very beneficial.

Dr. Smith.—We would take the money if we had not any interference with it.

7184. Dr. TRAILL.—The Ralph Macklin endowment was originally intended for those poor schools, and we would think it ought to be applied in the poorer parishes?

Rev. Canon Greene.—I would think so. This is the poorest district except perhaps Saint Michael's.

7185. Dr. TRAILL.—Is Saint Andrew's poorer?

Rev. Canon Greene.—Not near so poor.

Rev. Canon
Greene, M.A.

Rev. Canon Greene, M.A., sworn and examined.

7186. Mr. Anderson Q.C.—You are the present rector of the united parishes of St. Werburgh's and St. John's?—I am.

7187. I believe your present schoolhouse was the old Rectory of Christ Church?—Yes. That is now vested in the Representative Church Body.

7188. What is the general parish fund which is vested in your name?—It is a sum of money in now three per cents, which produces 269 18s. half yearly I think. I can tell you the exact amount; 269 8s. 4d. is the exact amount.

7189. In whose name is that fund vested?—In the name of the ministers and churchwardens.

7190. £138 6s. 8d. consols is vested in the minister and churchwardens?—That sum in St. Werburgh's parish is in the name of the rector and churchwardens.

7191. That was derived from the savings of former years and invested?—Yes.

7192. In 1870 do you recollect selling out portion of it?—Yes, £150.

7193. How was that £150 laid out?—In the purchase of a slip of ground on which an old house formerly stood, and which was taken down.

7194. To whom was that conveyed?—It was conveyed to the school board of St. John's parish.

7195. Dr. TRAILL.—What do you call the school board?—Well, the governors of the school.

7196. Are those the words in the deed?—I am not sure. Perhaps Mr. Maifett has the deed.

7197. Mr. Anderson Q.C.—Can you explain why that money was so invested?—Because the slip of ground was going to be converted into a blacksmith's yard. We considered that would be very prejudicial to the school, and we thought it absolutely necessary to purchase it.

7198. It adjoins the school?—Yes, but there is a wall between.

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7199. Dr. TRAILL.—What is the size of the ground purchased?

Dr. Smith.—156 feet by 127.

Rev. Canon Green.—It is more than 127 feet.

7200. Mr. Anderson, q.c. (to the Rev. Canon Green).—Has that been relet lately?—It has. It is now let to the Messrs. Skiborpe for £10 a year. Mr. Skiborpe has it for his lodgings, and he has built a small house at the back of it.

7201. Dr. TRAILL.—Is it let on a building lease?

Dr. Smith.—No, not a building lease, merely for twenty-one years.

7202. Dr. TRAILL (to Rev. Canon Green).—You heard Mr. Anderson's statement about the different bequests?—Southwell's, Wallaco's, and the others; do you agree with Mr. Anderson's statement?—Certainly.

7203. Mr. Anderson, q.c.—Have you the lease of the late February, 1844, of St. Werburgh's school?—Yes.

7204. That is the lease that contains the special covenant referred to?—Yes.

7205. The next item is with reference to the grant of the St. Stephen's-green premises; do you know these premises belonging to St. Werburgh's parish on St. Stephen's-green?—Yes.

7206. You get the rents of them paid over for the purposes of the school?—Yes.

7207. Are you aware the parish authorities are about to cease giving that?—Yes, a resolution is come to, to withdraw that grant.

7208. What is the rent of that house on Stephen's-green?—£16 odd.

7209. Dr. TRAILL.—This lease of premises in 1854; is that the same?

Mr. Anderson, q.c.—That refers to St. Werburgh's, £73 5s. 4d., rent of premises in St. Stephen's-green, and that grant is about to be withdrawn.

7210. Dr. TRAILL (to the Rev. Canon Green).—How long has that fund been applied to educational purposes?—A great number of years.

Rev. S. C. Hughes.—Ninety-five years.

7211. Dr. TRAILL (to Rev. Canon Green).—The churchwardens in withdrawing that only desire I presume to protect it from any interference?—That is all; that is the reason.

7212. If a proper scheme was devised, the churchwardens might allow it to remain for school purposes?—They would have no objection, I think.

7213. Professor DOUGHERTY.—To what purposes would they apply it if they withdraw it from the school?—To the poor.

7214. Dr. TRAILL.—They consider it within their trust to apply it to the children of the school?—Yes.

7215. Professor DOUGHERTY.—Would you consider that a judicious or useful application of it?—I really cannot say.

7216. What is your judgment?—I really could not

say; suppose some poor children were sent out of the country it would be a useful application of it.

7217. That would still be for educational purposes?—I believe indiscriminately giving it to them as poor would be extremely bad, but there are many useful ways of giving it.

7218. Mr. Anderson, q.c.—Sir D. Bellingham gave it for the poor of the parish, and I will enter the deed relating to it. (Deed entered.) With reference to the general parish fund of St. Werburgh's, what does it amount to?—£52 18s. 4d. half-yearly.

7219. £50 a year is given to the school fund?—Yes. The Rev. Mr. Hughes found a minute, which shows that the portion of that money which should go to the school was £31 a year.

7220. What is that minute?

Rev. S. C. Hughes.—During that time the same body of gentlemen managed the affairs of the school in 1850.

7221. Mr. Anderson, q.c.—Does it refer to St. Werburgh's?

Rev. S. C. Hughes.—Yes.

7222. What is the date of the minute?—The 7th January, 1859. The minute states that a small sum was requisite immediately, and the junior churchwardens is directed to pay to the treasurer of the school a dividend on it—a half-yearly dividend, one-half of which shall be added by the junior churchwardens to the sum (£18 0s. 7d.) heretofore paid the treasurer of the school, making the half payment to him so much. I find on 30th April, 1874, in the time of Rev. Dr. McCarthy, a minute stating £200 of the Three per Cent. stock, belonging to the school, should be sold to clear off the greater part of a debt due to the treasurer. That would diminish that by £4 a year, and that would leave the sum of money to be £31 2s. a year.

7223. Dr. TRAILL.—To clear off a debt to the treasurer?

Rev. Canon Green.—The treasurer of the school.

7224. Mr. Anderson, q.c.—How does the amount come to be reduced to £30?

Rev. S. C. Hughes.—In 1870 the schoolmaster was pensioned at the rate of £43 10s. a year and the parish was paying that to the present, and we did not insist on getting the whole £31 12s., and they gave £20.

7225. Dr. TRAILL.—You will have the revenue of it?

Rev. S. C. Hughes.—When the pension ceases we will have the revenue of it.

7226. Mr. Anderson, q.c. (to Rev. Canon Green).—You heard about Southwell's bequest, God's bequest, and Tew's?—The former is paid by the churchwardens of St. Werburgh's parish, and the other two by the Commissioners of Charitable Donations and Bequests. God's bequest was dated April 24th, 1835, and Tew's bequest May, 1830.

Rev. Canon Lopez, B.A., sworn and examined.

Rev. Canon
Lopez, B.A.

7227. Mr. Anderson, q.c.—You are the incumbent of the united parishes of St. Andrew, St. Nicholas Within, and St. Michael?—Yes.

7228. What is the amount of St. Andrew's parish fund?—The amount of the whole is about £2,155 18s. 1d.

7229. Is that Government stock?—Yes, it is mainly Government stock.

7230. There is a sum applicable out of the parish fund to the school of St. Andrew's; how much is that?—£371 13s. now three per cents.

7231. How was that made up?—I do not know. Probably by voluntary subscription and bequest.

Professor DOUGHERTY.—Look at the report of 1853 and you will see a list given, taken from a tablet in the porch of the church, which gives the benefactors of the schools and the amounts.

7232. Mr. Anderson, q.c.—What has become of your books?—We cannot tell; a late churchwarden, who knew a good deal about the property, has gone to Spain.

7233. What is his name?—Quade. Before his time and mine there was a treasurer, I don't know his name, his books and accounts have disappeared. I have only one book.

7234. Are you aware that in the church of St. Andrew there is a board with the names of benefactors on it?—Yes, and the amount is given and the names.

7235. Dr. TRAILL.—A board in the church?—Yes, in the porch of the church.

7236. Tindall's bequest, the principal of that is £46 8s. 2d., the dividend on that is for the school of St. Andrew's?—No, St. Nicholas's, arising out of premises in Great Stip-street. As to the origin there

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is what appears in a former report, "original savings collected together and bought the holding."

7237. Do you hold that in fact—Yes; we pay no rent for it. We derive about £25 or £26 a year from it.

7238. I see there is Carey's bequest and Southwell's bequest for the school of St. Nicholas's—The amount of Cordelia Carey's bequest is £4 12s. 6d. and Southwell's £1 2s. 6d.

7239. You know nothing about Carey's bequest?—No.

7240. There is a general parish fund in St. Nicholas's, what does that consist of?—I cannot now tell the details; some of it is for the poor and some for the schools.

7241. What is the amount of it?—I have no record. I merely got the interest.

7242. That is two sums £4 12s. 6d. and £2 4s. 6d.?—That is the interest. I see from a note I took that I got it partly from rent and partly from new three per cent.

7243. Are they paid to you by the bank?—I got some from the bank and some from the Charitable Commissioners.

7244. Mr. Anderson, q.c.—How much do you get from the bank; I am speaking now of the parish of St. Nicholas's?—It amounts to £1 11s. 6d.

7245. Do you get £3 6s. 6d.?—Yes; I got that

also at the bank; dividend on Government stock which is vested in the names of the minister and churchwardens.

7246. Carey's bequest is £4 12s. 6d.—Yes.

7247. What sum are you got from the Commissioners of Charitable Donations and Bequests?

Rev. Canon Lepper.—£4 12s. 6d. comes from them. I cannot give any further information in consequence of the loss of books.

7248. Mr. Anderson, q.c.—With regard to St. Michael's parish, there are only two bequests, Southwell's and Tisdall's?—Yes.

7249. Rev. Dr. Mottor.—Should you consider it desirable to have a new school, amalgamating all these endowments, and taking in St. Bride's?

Rev. Canon Lepper.—No; I fancy not.

Rev. Canon Grimes.—Dr. Lepper would object to have the school under the National Board.

7250. Professor Douglass (to the Rev. Canon Lepper).—You would see no objection to giving the governing body power to connect the school with the National Board afterwards if they should think fit?

Rev. Canon Lepper.—I, as rector of St. Andrew's, do not wish to bind my successors.

7251. Professor Douglass.—To give them such a discretionary power would not be hindering them.

Alexander F. Smith, M.D., sworn and examined.

7252. Rev. Dr. Mottor.—Are you one of the churchwardens interested in these parishes?—I am rector's churchwarden of St. Werburgh's for the year.

7253. Have you shared in the administration of the fund?—Yes, I am an ex-officio governor of these united schools as churchwarden.

7254. Have you any view to put before the Commissioners as regards the proposition of a scheme?—My view would be that any scheme should take in St. Werburgh's, Andrew's, Nicholas, Michael's, and John's, and be permanent, as they see all united by a community of interest. These parishes at one time all had a separate school, but when the population decreased so much there was an amalgamation. My idea would be to extend the amalgamation further, and to take in other schools within a given area which have only a small attendance.

7255. You mean the schools of neighbouring parishes?—Yes.

7256. Professor Douglass.—Would you go so far as to take in all the parish schools in Dublin?—There are fourteen city parishes, and I would go so far as to take in the boys' and girls' schools, but still retaining the infant schools in connexion with the parishes as the amalgamated school would be too far away for young children to attend; but for grown-up boys and girls my idea would be to have one central school established. I would include St. Luke's, St. Bride's, St. Ann's, St. Mary's, St. Michael's, and others.

7257. Practically you would take in all the parishes?—Yes, so as to have one central efficient school.

7258. Have you an existing school-house large enough?—No, but we have a site sufficiently large for such a school-house near St. Werburgh's.

7259. Would you include St. Peter's?—I don't know about that. It has a large suburban population.

7260. Would you include St. Ann's?—I would if the school was small, and they gave us Ralph Mackin's money. In St. Ann's parish there is a training school.

7261. Dr. TRAILL.—Would you go to the north side?—Christ Church is a great centre, and from a large radius the children could with advantage attend at the one central school.

7262. Would the children come a mile?—None

would be farther than Guinness's Brewery on the north, and others would come from districts at the back of the Four Courts.

7263. How many children would you expect would attend such a school?—Provision could be made for 600 or 700.

7264. Do you consider that would be more advisable than three schools of 200 each?—I don't say that, but I say one school of 700 is very much better than several schools of twenty, thirty, and forty of an average attendance.

7265. But here we have an existing school of over 200?—If you inquire as to where all these children come from, you will find they come from nearly all these parishes mentioned.

7266. Rev. Dr. Mottor.—You propose to have an common board of administration for all the parishes, and one central school to which the adult children of the several parishes would come?—Yes. The Board should not be too large or to be unworkable. I would propose that each parish should have power to send a delegate to the central Board.

7267. Rev. Dr. Mottor.—What is your view, Dr. Smith, as regards the school fees?—I consider they should be charged.

7268. Have you practical experience to lead you to that conclusion?—I have a good deal of knowledge coming in contact with the poorer class of Protestants, and the fact is, they would want everything done for them, and you can get very little without pressure.

7269. Do you consider pressure should be put on them to make them pay the school fees?—I am sure some would pay, but others would not. My opinion is, an effort should be made to get them to pay something.

7270. Would you exclude those who would not pay?—Certainly not.

7271. But you would put greater pressure on those able to pay than is at present applied?—Certainly.

Rev. Canon Grimes.—As a matter of fact we did put pressure on them, and without special exemption from the clergyman, every child was bound to pay, but in the result it did not work at all.

7272. Professor Douglass (to Dr. Smith).—Do you consider the present system of the administration

Alexander F.
Smith, M.D.

of local charities has an injurious effect on the people?—I think so; it makes them mean and lying.

Rev. Canon Greene.—The father of a family is a drunkard, perhaps. He says "If you do not admit the child others will;" and they will send them to ragged schools where they will get a piece of bread every day. Numbers of our children in that way, whose parents are able to pay, are sent to ragged schools.

1273. Dr. TRAILL (to Dr. Smith).—How would you compose the central board you speak of?—I would have one representative on the central board from each parish.

1274. Would you put the clergymen of each parish and two churchwardens on it?—Yes, that would make a board of forty-two.

1275. Where would you have them meet?—A room set apart for them in the new building.

1276. Where would you have the new building?—On the ground held by the united parishes there is a suitable site.

1277. Would your idea be carried out if a large central school was taken elsewhere, such as St. Peter's?—Yes, but St. Peter's is not in the centre of Old Dublin; it is on the outskirts, and extends into Rathmines.

1278. A great many in favour of amalgamation would be in favour of having such a central school in their own particular district?—If you look at the Ordnance map you will see the site I suggest is in the centre of a thickly-populated district, which comprises all the parts of Dublin in which poorer classes live, and for whom these endowments were given and intended.

1279. Don't you think people in other parishes might object?—There would possibly be objections on the part of clergymen in other parishes who would not have an opportunity of interfering so much as in their own parishes. But were the schools good their goodness would prevent the parents grumbling as to the distance they had to send their children.

1280. Professor DOUGHERTY.—Might you not have a joint board that would administer the parochial educational endowments, and have power to determine, in accordance with the necessities of the population, where a school should be established, and where a school should be withdrawn?—Certainly.

1281. It might be useful to have a joint board for the administration of the educational charities in Dublin?—There are so many small items that it would be well to have them amalgamated and swept into one central fund and dealt with.

Rev. Canon Greene.—The amount in these six parishes would go a long way.

1282. Professor DOUGHERTY.—If it is a sound principle as regards six parishes, would it not be wise to still further extend it?

Rev. Canon Greene.—Unless you take in the whole of Dublin. I think it would be impossible to have one central school for the whole of Dublin.

1283. Professor DOUGHERTY.—It might be a matter of doubtful policy to establish one central school, but it is different to have a joint board to administer these parochial educational endowments.

1284. Dr. TRAILL.—The central board might overrule the wishes of a parish and allocate endowments from one parish to another under the pretext of shifting population?

Rev. Canon Greene.—And that would lead to jealousy.

The Witness.—The infant schools from which the central school would be recruited would be still under the care of the clergymen of their different parishes.

The quantity of bread given to the children accounts for the large average attendance at the infant school, and it is the only charity I ever saw given in these schools that I approved of.

1285. Rev. Dr. MONAGHAN.—With respect to these six particular parishes, do you think from the Protestant population a sufficient number of children would attend one central school for those six parishes?—I think the number at present would be sufficient, but the schoolhouse is too small; it is a mere dwellinghouse turned into a schoolhouse.

1286. The existing schoolhouse would be insufficient if established for these six parishes?—Yes.

1287. Do you think the local clergy have a special interest in the schools in which the children of their denomination are educated which makes them devote themselves with greater zeal to it, than if under the control of any central body?—They no doubt show great zeal as to the welfare of the children attending their schools.

1288. Is there not a certain advantage in giving them authority who have the greatest interest in the success of the schools, and would it not be for the advantage of the children?—Speaking for myself, I may say I have the greatest interest in the success of the schools; but, for all that, I think the funds might be amalgamated.

1289. The various items of income are too scattered you think?—Yes.

1290. And your idea is that it would be better to have them amalgamated and applied to the maintenance of one school, under one board of administration for the six parishes?—Yes. In the accounts you will find an item of £31 11s. for clothing, and I consider that a sort of bribery to the children to attend.

1291. But do you consider there is any wasting of the income by reason of it coming in in small sums?—The payments are not in small sums, and there is no wasting of the funds in the sense of wasting, but in my opinion it would be better to have the funds amalgamated.

1292. Professor DOUGHERTY.—I thought you would wish to see a large school established, and that because the existing parochial schools are too small according to your idea of what a school ought to be?—They are too small; that is my idea.

1293. Dr. TRAILL.—For each of these schools you require masters and mistresses, and if there was amalgamation you think a competent staff of teachers would suffice for a school of several hundred, and in that way there would be a saving?—I would always desire to see a competent staff of teachers, so that the efficiency of the schools would be maintained.

1294. Supposing you had one clergyman from each of the parishes on this central board, who would you make manager?—I would let them elect their own chairman; and I would not abandon my suggestion on the possibility of quarrels between governors.

1295. But each clergyman would consider the children of his own parish to be his particular care?—I would not permit any general interference, or have any clergyman coming in insisting on carrying out his own view.

Rev. Canon Greene.—If you constituted a central board, and that each clergyman was to have no particular interest as regards the parish he represented, the central school, I apprehend, would be a complete failure.

Rev. Canon Leaper.—It should be remembered that a large part of the income is derived from charity sermons.

The Commission then adjourned.

May 12, 1891.

Alexander T. Beck, M.A.

TUESDAY, 18TH MAY, 1886.

At the Office, 23, Nassau-street.

Present:—Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.L.; ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.S.; and Professor DOUGHERTY, M.A.
The Secretary, WM. EDWARD ELLIS, Esq., LL.B., and the Assistant Secretary, N. D. MURPHY, Junr., Esq., were in attendance.

SAINT THOMAS' PAROCHIAL SCHOOLS, GLOUCESTER-STREET.

St. Thomas'
Parochial
Schools,
Gloucester-st.
Rev. Mr.
Gason.

7296. Dr. TRAILL.—There appears to be some difference of opinion about the parochial schools of St. Thomas. I find by a letter from Miss Skeckleton that what are called St. Thomas' schools are not parochial schools.

Rev. Mr. Gason.—They are not parochial schools at all; and, as rector, I have no control whatever over them. These are the schools, 40 Lower Gloucester-street.

7297. Dr. TRAILL.—Then there was the Oryan House besides.

Rev. Mr. Gason.—Yes, that is under us.

7298. Dr. TRAILL.—Do you claim exemption?

Rev. Mr. Gason.—Yes.

7299. Dr. TRAILL.—I suppose you can give some evidence in support of your claim?

Rev. Mr. Gason.—We have the secretary here.

SAINT THOMAS' ORPHANAGE.

Henry Harden, LL.B., sworn.

St. Thomas'
Orphanage.
H. Harden,
LL.B.

7300. Dr. TRAILL.—What are the grounds upon which you claim exemption?—I think it is section 7.

7301. You are prepared to go into the question of the Orphanage now?—We are. Section 7, sub-section 6 says, "For the benefit of persons of a particular religious denomination, and under the exclusive control of persons of that denomination." The governing body consists of rector, curate and churchwardens of St. Thomas' Parish.

7302. Have you any deeds connected with the endowment?—Yes, I possess the lease of the ground on which the house is built.

7303. Is the orphanage connected in any way with what are called St. Thomas' Parochial Schools?—No, we once were tenants in the same house, paying £30 a year rent.

7304. How did what are called St. Thomas' Parochial Schools pass out of the jurisdiction of the clergyman?—Dr. Stanford, I believe, had something to do with it.

7305. Who was he?—A former rector of St. Thomas'. Rev. James White had merely an honorary post as parson.

7306. Professor DOUGHERTY.—I see the three trustees in 1858 were Judge Vandeleur, E. P. Brooke, and Pelham Robinson?—Two members of the Brooke family are still members of the committee of the schools, not of the orphanage.

7307. We are referring now to the Parochial Schools so called?—I can give no evidence of that.

7308. Professor DOUGHERTY.—Can the clergyman of the parish give any evidence about it?

Rev. Mr. Gason.—No, I am only there about two years.

7309. Professor DOUGHERTY.—Do you know anything about the history of the school?

Rev. Mr. Gason.—Nothing whatever; and I am under the impression that I have nothing whatever to do with the school, good, bad, or indifferent. I have been asked to be a trustee, but I refused.

7310. Dr. TRAILL.—Can Miss Skeckleton give any evidence?

Witness.—She is the only person that can; she has the management of the school virtually, it is in the hands of trustees.

7311. Professor DOUGHERTY.—Do you happen to know the names of the trustees?—There are two of the Brooke family, Rev. Thomas Wallace, and Miss Skeckleton.

7312. Dr. TRAILL.—Are you the secretary of St. Thomas' Orphanage?—I am secretary and treasurer.

7313. Who else has to do with the orphanage?—The rector, curate, and churchwardens are the trustees.

7314. They are the same as the trustees of the ground on which it is built?—Yes.

7315. How was the money collected with which the orphanage was built?—It was a legacy from Mr. Ramsay.

7316. Have you the will by which the legacy was given, was it left to the minister and churchwardens, or the poor of the parish?—I have no evidence so far back as that, the papers seem to be lost.

7317. When was it?—Prior to 1768.

7318. What record have you of it?—Of the first—merely from the printed report of a former Commission.

7319. As regards the persons in the orphanage, are they all Church children?—They are.

7320. Necessarily?—They are bound to go to church.

7321. Have you got the document that obliges them to do that?—No; I have no document obliging them to do that, but custom obliges them to do it.

7322. Have you the minutes of the board in which that is stated to be part of the constitution of the orphanage?

7323. Professor DOUGHERTY.—Do you know anything about the terms of Ramsay's will which bequeathed £500 that is now invested in buildings?—I don't find it anywhere on the minutes.

7324. Dr. TRAILL.—Are the documents lost?—They are, evidently.

NATIONAL SCHOOLS, LOWER DOMINICK-STREET.

7325. Rev. Dr. MOLLOY.—Mr. Shaw, I think you appear for the Dominick-street Schools.

Mr. J. J. Shaw, M.A.—I think the case of these schools should be adjourned for some time for various reasons. The first is that those who are actually concerned in the administration of the trust at present, are, on the whole, of opinion, and have been so advised, that it would be well for them not to

insist upon the point of their exemption; and although as a matter of law, I think that they could successfully claim exemption, yet as a matter of prudence it would be just as well to submit to the jurisdiction of this Commission, and take the benefit of it in the settlement of a scheme. But at the same time they have not got a formal consent from the present trustees, two of whom reside

National
Schools, Lower
Dominick-st.

Mr. J. J.
Shaw, M.A.

out of Ireland, and before we proceed we should seek, I think, to get the formal consent of the present trustees of the endowment. Then there is another matter. This Dominick-street School is only one out of a considerable number of trusts of various kinds, one of them in relation to the Female Orphan school which at present is carried on in Dorset-street, and some other endowments in connection with the same congregation, which are vested in the same trustees, some of them by the same deeds. They have been mixed up, and many of them put into the same instruments, and a good many questions will arise in relation to these funds under the 8th section of the Act, which enables the Commission to deal with mixed funds. Therefore my opinion is that you would not care to enter into those questions in the absence of the Judicial Commissioners, because there are some questions of considerable legal difficulty that would arise in the application of the 8th section to these trusts, and therefore I

don't think it would be satisfactory to any of us to go on at present.

7323. Rev. Dr. MOLLOY.—I think what you propose is reasonable, and it would seem to us that if you get the consent of your governing body to ask for the intervention of the Commission, the next course to pursue then would be to draw up the heads of a scheme, which you would submit to us, and in that scheme you can deal if you please with the whole of your endowments. We have considered the matter with the Judicial Commissioners to a certain extent, and you may take it that this Commission can deal, in the first place, with those endowments which are purely educational, and in the next place with those endowments which are partly educational and partly applicable to other purposes, and that we can constitute an incorporated body to administer these two classes of endowments.

The sitting was adjourned.

May 15, 1886.

Mr. J. J. Shaw,
Solicitor.

WEDNESDAY, MAY 19TH, 1886.

At the Office, No. 25, Nassau-street.

May 19, 1886.

Present:—Right Hon. the Lord CHANCELLOR, and the Right Hon. Lord Justice FITZGERBON, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.C., F.R.U.L., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.S., and Professor DOUGHERTY, M.A., Assistant Commissioners.
The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

ERASMUS SMITH'S SCHOOLS.

Erasmus
Smith's
Schools.

Messrs. W. Anderson, & Co., and E. Mansell, instructed by Messrs. Mansell and Son, appeared for the Governors of the Schools.

Messrs. E. P. Carion, & Co., and M. P. D. Bodin, instructed by Messrs. F. B. Dillon and Co., appeared for the Catholic Head Masters' Association.

Mr. J. J. Shaw, instructed by Mr. James Henry, appeared for the Intermediate Education Committee of the General Assembly of the Presbyterian Church in Ireland.

Dr. Webb, & Co., instructed by Messrs. O'Connell and Tobin, appeared for the Wesleyan Methodists.

Rev. S. J. Whitnes, appeared for the Congregationalists.

Mr. Carion,
& Co.

7327. Mr. Anderson.—Before Mr. Carion opens his case, there are two letters I would wish to bring before the Commissioners. In the charter the ultimate trusts of the residue of the revenues and profits is, "and as to the other moiety of the revenues and profits during the term as after the expiration thereof, they shall be applied to such other charitable uses as Erasmus Smith, by any deed in writing or his last will and testament, shall appoint." But what I want now to call your attention to is this, that in pursuance of what Erasmus Smith believed he had power to do by the ultimate trust of that charter, he by a deed of 16th July, 1680, purported to convey away a considerable portion of that residue to Currier's Hospital in London, in lieu of £100 a year, which was given to them by the charter; and accordingly we have a letter of the Governors to Erasmus Smith, dated 7th June, 1681.

(Reads letter). And accordingly they enclose in that letter a copy of the opinion of the Solicitor-General, who advised that Erasmus Smith had no power to dispose of this moiety of the surplus rents in the way in which he proceeded to do by those two deeds, and in that opinion he relied upon the original deed which was made to the trustees, which I call your attention to; and he also relied upon certain letters patent, and a certificate given prior to our charter of the 21st Charles I., as reasons upon which he founded the opinion that Erasmus Smith had no power. Then we have a letter in reply from Erasmus Smith, 6th August, 1681. (Reads letter). We rely upon that letter as showing that the view Erasmus Smith took was that everything anterior to the letters patent, which we have given in evidence, was wiped away, and that all the trusts connected

with these schools are what were declared by those letters patent, and nothing anterior to them.

7328. Mr. Carion.—I appear for the Association of the Catholic Head Masters of Ireland, and I wish to put before you the views of that association, representing themselves, and also representing the Catholics of Ireland, with reference first to the Erasmus Smith foundation. You have already decided that it comes within the scope of your Commission, it not being an endowment under the exclusive control of persons of any particular denomination, or applicable and provided exclusively for the benefit of persons of that denomination. Therefore it is at present a free endowment capable of being dealt with by the Commission under the very full powers given in section 6 of the Act.

7329. Lord Justice FITZGERBON.—That is to say, it is an endowment not exempt, and therefore it may be dealt with under the provisions of this Act.

Mr. Carion.—Quite so. It is an endowment not exempt, and therefore the Commissioners have power to prepare a draft scheme for the future government and management of the endowment, which scheme may provide for altering the conditions and provisions, or regulating the application of the endowments, and so forth.

Now, the first proposition which I would submit is this, that the intention of Erasmus Smith in founding these schools has been found impracticable, has been altogether abandoned, and, in fact, the present schools of Erasmus Smith are as different as can possibly be conceived from the schools which Erasmus Smith intended to found by his deed of trust, and was afterwards founded by the charter. The spirit of the

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Mr. Carson,
4-6.

founder's intentions is not to be gathered, as Mr. Anderson has just suggested, by starting from the charter. We are to take all the evidence in the case, all the documents under the hand of Erasmus Smith, and ascertain from these materials what his intentions were. Now, the first document is the deed of 1st December, 1657; and the remains of that deed appear to afford a true key. It recites—

"Whereas most of the sins, which in former times have reigned in this nation have proceeded chiefly of lack of the bringing up of the youth of this nation either in public or private schools whereby thorough good discipline they might be _____ in literature and good manners, and so learn to loath those luxuries and manifold offences which when they come to years did daily perpetrate and commit."

Then the deed witnesses that he assigns—

"For the great and ardent desire which he hath that the poor children inhabiting upon any part of his lands in Ireland as hereinafter in and by these presents is expressed should be brought up in the fear of God, and good literature, and to speak the English tongue."

Here I must call your attention to the class of children for whom the schools were founded, namely poor children inhabiting upon any part of his lands in Ireland. The next portion of the deed which I think is material, is this—

"And the intentions of all parties to these presents is that the children of the poor tenants inhabiting on the lands aforesaid, and the children of such as are poor or lived by their labour are to be taught at the said schools free and without paying anything for their teaching to the said masters."

And then there was a proviso:—

"That each of the said tenants on the said lands their children as shall be made fit for the University or Trinity College near Dublin."

Then it is declared to be the intention of all parties—

"That the said schoolmasters to be settled as aforesaid to be obliged twice each day to pray with such scholars as he or they shall respectively teach. And that he or they shall punish such of the said scholars as from time to time shall without good cause be absent from the said exercise of prayer. And that the said schoolmasters respectively shall likewise catechise his or their said scholars once every week on some week day in the catechism published and set forth by the Assembly of Divines, which catechism the said tenants are out of the said rents to provide for the said scholars whose parents are poor and inhabitants on the premises as aforesaid."

And then there is a proviso that every Lord's day he was to catechise them, and expound to them the catechism. Now I would ask you to infer from these portions of that deed, first of all, that the main and primary intention of Erasmus Smith was education. That was what he was anxious to have. He starts with the recital that the sins "which in former times have reigned," have proceeded from the want of education, and he states that his object in granting these lands is for the great and ardent desire he has that the poor children inhabiting upon any part of his lands should be brought up in the fear of God, and good literature, and to speak the English tongue. Therefore education was the main object Erasmus Smith had in view, and the promotion of education is the real spirit of the founder. The next thing that he had in view was that his own tenants should be educated, because we find afterwards that although the number of people on his own tenants was limited, the number of pupils children of his own tenants is unlimited. Therefore, his next object was to secure this education for his own tenants. Thirdly, it was to secure the education free, because it is expressly provided that the people attending the schools were to pay nothing to the masters, that is, they were to be "children of poor tenants inhabiting on the lands aforesaid, the children of such as are poor or lived by their labour." You will also observe that according to the deed the catechism which was to be taught was the cate-

chism of the Assembly of Divines, and that the deed was made in the time of the Commonwealth; and the argument I would found upon that is this, that Erasmus Smith dealt for the purposes of education with things as he found them, that when the Assembly of Divines was the religious body that had control it was their catechism that was to be taught, and that afterwards when things changed it was the catechism of Archbishop Usher. Next comes the charter, and it really appears to me that the charter does not in any way depart from the spirit of Erasmus Smith as evidenced by the deed. There is power in the charter to erect, found, and establish three free grammar schools. The deed originally contemplated the formation of free schools, the charter, however, limits it to three grammar schools, one in Drogheda, one in Galway, and another in the town of Tipperary. And then it provides that the Governors shall—

"Place therein such numbers of poor children or scholars, not exceeding the number of twenty in any of the said schools, besides the tenants' children of the said Erasmus Smith, who are not to be limited to any number, as he, she, or she said Erasmus Smith, during his life, and after his decease, or during his sickness or absence from Ireland, is the said governors and their successors, or any seven or more of them (whereof the treasurer for the time being to be always one if such treasurer be able to attend) shall see convenient."

So that the schools founded by the charter, to take the charter as the starting point, were free grammar schools for poor children. But it does not stop there for the charter goes on—

"And further, we of our most especial grace, certain knowledge and mere motion have ordained, constituted and assigned, limited and appointed, and by these presents do, our heirs and successors, do ordain, constitute, assign, limit, and appoint that the said free schools shall from henceforth for ever hereafter be, remain, continue and be converted, supplied and used for free schools, for the teaching and instructing of twenty such poor children or scholars as shall dwell or inhabit within two English miles of the said respective schools, and also for the teaching and instructing of all and every one of the children of the tenants of the said Erasmus Smith, his heirs, executors, or assigns, at what distance soever from the said schools such tenants shall dwell or inhabit, according to the true intent and meaning of these presents."

There are no doubt provisions in this charter, that the bishops were to have certain powers of nomination. There are also provisions that the schoolmasters were to be Protestants, and there is also a provision that the children should be taught, not in the Catechism of the Assembly of Divines—the Assembly of Divines having then ceased to have ecclesiastical control in England, but according to the Catechism of Archbishop Usher. Then there is another provision in the charter which seems to be material, that the masters of such free schools shall take no money, reward, or other gratuity whatever "for the teaching of any poor child which shall be of the number of the twenty poor children, living within two English miles of such free schools as aforesaid, nor of any other children who are, or shall be children of any tenants to, or inhabitants upon the lands or possessions which shall or may belong to the corporation aforesaid, how many soever such children shall be, and at what distance soever from such schools they shall happen to dwell." And then comes this proviso—

"Provided always that the said governors or their successors shall not have power to make or appoint any laws, rules, statutes, acts, orders, or ordinances after the death of the said Erasmus Smith that will make void, suspend or weaken the same laws, rules, statutes, acts, orders, or ordinances constituted by the said Erasmus Smith, or any branch or circumstance thereof, which orders, rules, laws, statutes, acts, and ordinances are, and always shall remain and be in their full force and virtue for the governing and ordering of the said schools and works of charity."

Therefore, by the deed followed up by the charter free schools were established, a prohibition was made

against the masters of these schools taking any gratuity from any of the poor children residing in the neighbourhood of the schools, and it was provided that the persons who were intended to get the education given in the schools should be the children of the poor tenants, and not the tenants residing upon his own lands, but they were to be poor children, and they were to be drawn from the labouring class, as is expressly stated in the deed.

The only other document which it seems to me material to call your attention to is what is called the rules and ordinances of Erasmus Smith, the original entry of which has been produced here to-day; you will find a printed copy of it at page 300 of the evidence of the Commission of 1858.

"Laws and directions given by Erasmus Smith, say, under his hand and seal, for the better government and ordering of the public schools lately founded and erected by him."

Here is the first sentence of it—

"The schools are provided as free grammar schools in behalf and for the benefit of the children of the tenants to the said Erasmus Smith, as also for the children of the tenants of this Corporation, together with the children of the inhabitants residing in and about the towns and places where these schools are erected."

And then it goes on to provide—

"The child or children of any tenants of the said Erasmus Smith or to the said Corporation, as also the children of any sub-tenant, that is the present occupier of any of the said lands or possessions, these all, and each of them, if sent by their parents or friends, are to be taught free, and exempted from all salaries and payments in respect of their education while they remain in any of these schools."

Then—

"The twenty poor children of the inhabitants of each of the towns, or within two miles distant, where these schools are or shall be erected, are to enjoy the same privileges of their education in all respect as the tenants' children."

And then it provides what they were to be taught; they were to be instructed in Latin, Greek, and Hebrew, according to their capacities, and fitted for the University if their parents or friends desire it, others of them to write and apply "that they may be fit for disposition to trades or other employments." There are provisions for other children—poor children, provisions for those who go to the University, and provisions for those who are apprenticed. Liberty is also given to the schoolmaster—

"To receive the children of others that have a mind to send them for like education into any of these schools paying to the head master 2s. for entrance, and for their schooling such reasonable rates as shall be agreed on between them. None are to be admitted schoolmaster of the said schools but such as are of the Protestant religion, and well known for their ability, industry, and good conversation. The schoolmaster, and in his absence, the other, shall publicly every morning read a chapter out of the canonical Scriptures, and then pray, concluding at night also with prayer. This is to be done in the English tongue that all may be edified, they are to urge the children frequently to read the Scriptures, and at convenient times to require some account of what they read according to their capacity, and that the manner of them be able readily to give an account how many books and the order in which they stand, as also the number of the chapters in each book, both of the Old and New Testaments."

Then follows the clause which prescribed the educating of the boys in Archbishop Usher's catechism. Now, the proposition I submit to the Commission is this, that it has been found perfectly impracticable to work out Erasmus Smith's schools according to the spirit of the founder, that the spirit of the founder has been completely disregarded, and that these schools so far from being now free grammar schools for the children of the poor, have been converted into high class schools from which the children of the poor have been excluded.

If, having regard to the change of the times, having regard to differences of religion, and matters of that kind, you find it impossible to carry out the spirit of the founder, according to his letter, or according to its spirit, and if you find that practically the governors of this institution themselves have, by their acts, now for a number of years, shown that it is impossible to carry out the spirit of the founder; then I submit, that this fund becomes a free fund, applicable for educational purposes in Ireland, irrespective of any religious denomination.

Before I come to call your attention to the evidence given by the Vice-Chancellor on the last day, I might just call your attention to what has been done in the way of Charters and Acts of Parliament, since the date of the charter of Charles II. There next came the Act of George I., which enabled the fellows of Trinity College, and the exhibitions to be founded, and provided for the payment for twenty boys in the Bluecoat Hospital, and that the surplus was to be employed in setting up and founding English schools. The fellowships in Trinity College were really only carrying out the intentions of Erasmus Smith, because his plain intention was that such poor children as should have mental capacity, and were capable of receiving a University education, should be fitted for the University and be maintained there to a certain extent, so that really the foundations of these fellowships and exhibitions in Trinity College was a furtherance of the intentions of the testator. But the application of the surplus for setting up and founding English schools was no part of the intention of Erasmus Smith at all, and that came in through the Act of Parliament, and the Act of Parliament alone.

In 1773 the Grammar School was set up in Ennis, and in 1870 the High School of which the Vice-Chancellor spoke was set up in Mallow-street. Now, I have analysed from the evidence of the Vice-Chancellor the present state of the pupils in each of the schools, and when we consider that they were founded as free grammar schools for the children of poor people it certainly discloses rather a startling state of facts. In Tipperary there are forty-nine boarders who pay pretty well upwards of fifty guineas a year, and there are in Tipperary four free day boys and four boys only. In Galway there are forty-seven boarders paying £60 a year; there are twenty-two paying day boys who pay for day schools, as they are now, a very high pension it appears to me, £8 a year, and £2 for each language in addition, so that if a boy at the Galway school, a day boy, took the ordinary intermediate education course he would pay from £12 to £14 or £16 a year for his education, which is a very high rate of payment according as day schools range at present. In that school there are twelve free day boys, and twelve only as against forty-seven boarders paying £40 a year, and twenty-two paying day boys paying, we will say on an average, £10 a year. In Drogheda there are thirty-nine boarders who pay the very high pension of £54 a year, there are six paying day boys who pay £12 a year, and there are only three free day boys. In Banis there are fifteen boarders, there are fifteen paying day boys, and there is one free boy. Now the result of these figures shows this, that in not one of these four schools is there a single free boarder, and in the four schools altogether there are only twenty free day boys. So that you have here these schools established originally for the purpose of giving a liberal education free, in which free boarders are not admitted at all, and there are only twenty free day boys in the whole five schools. Now it appears to me that this shows clearly that in these schools there is no sufficient demand for day education, and that the schools have been converted from being schools for the lower classes of the population, for the children of the labouring classes of the population, into high class schools contrary to the spirit and the intention, and the express language of the charter and of the deed. There was one answer of the Vice-Chancellor,

May 10, 1885.
Mr. Carson,
c/o.

May 12, 1906.

Mr. Curran,
Q. 6.

which struck me as most remarkable, showing how completely in the management of these schools it has been found necessary according to the exigencies of the times to depart not alone from the spirit but the express terms of the charter.

7330. Lord Justice Fitzgerald.—Having regard, Mr. Curran, to these laws, does it occur to you that the schools were intended for people of the labouring class. The schools are for the children of the tenants of Erasmus Smith, and of the Corporation, and twenty poor children of the inhabitants of the towns or within two miles distant, and he provides that the children are to be instructed in Latin, Greek, and Hebrew, according to their respective capacities, and fitted for the University according as their parents or friends desire it, others of them to write and scribe that they may be fit for disbursement to trades or other employments. What he appears to have contemplated is, not a primary school, but a school in which persons of a certain capacity should be able to get a higher education.

Mr. Curran.—Yes, but the deed plainly pointed to this that the children were to be drawn from the lower class of the population, and where, as we often find, there are exceedingly clever boys among that class who are capable of receiving a University education, they are first to get the rudiments of a University education in the schools and then proceeded off and sent to the University.

7331. Lord Justice Fitzgerald.—Children of that class would be covered by the provision for twenty poor children. What I was pointing out is that in the laws he appears to have prescribed a higher standard for all children, and also contemplated that persons who could pay should send their children, but with a provision that there were to be twenty poor children.

Mr. Curran.—There were always to be twenty poor children, and an unlimited number of his own tenants, and as soon as their wants were provided for the masters were to receive children whose parents were able to pay. But the schools have now been converted into exclusively high class schools and practically free education is not given in them at all.

7332. Lord Justice Fitzgerald.—I entirely follow your argument as regards the class of children are concerned, but it does occur to me that they are still the class of schools as regards the education that he intended.

Mr. Curran.—They are giving the class of education, but in a different way and to a different class from that which Erasmus Smith intended. In the Vice-Chancellor's evidence in answer to Question 2161, he said, [Reads answer.] Now, I gather from that answer that they not alone keep these schools as high class schools but they are anxious to do it, and they actually decline to admit boys whose rank in life—to use the language of the Vice-Chancellor—is so plainly below the rank in life of the other boys that if they were admitted they might injure the prestige of the school. What then becomes of the provision made by Erasmus Smith that there should be always twenty free boys those, who, if they were capable of receiving an education fitting them for the University, were to get it. And what becomes of the provision that any tenant of Erasmus Smith was to be admitted of right and admitted free. I am not to be at all taken as saying this in a spirit of fault finding with the governors, I say they could not do anything else; there was not the demand which Erasmus Smith provided this fund to supply, and that is proved by the fact that there are no free boarders, and there are only twenty—or an average of four free boys in each school. Now, if from the changes in the times, if from the changes in the country, it is found impossible to carry out the original intentions of the founder, then I submit that this fund is to be dealt with by this Commission as a free fund applicable to education, a free fund to be administered, of course, according

to the limitations imposed by this Act of Parliament.

Having thus shown the Commission that the intentions as expressed of Erasmus Smith, and the terms of the charter have been almost abandoned, and necessarily abandoned under the circumstances of the case, I now proceed to address myself to the spirit of the founder's intention which is to guide you in the formation of your scheme. Now, you will observe there is no limitation as to religion in either the charter or the laws, and the only thing that can be relied upon as pointing out what religion was to be taught in the schools, is the direction first of all in the deed that it was to be the catechism of the Assembly of Divines, and secondly in the laws, and in the charter that it was to be the catechism of Archbishop Usher. There is also the provision that the schoolmasters are to be of the Protestant religion. But regard must be had to the state of Ireland at the time this charter was made, and the state of Ireland at the time these laws were made. Erasmus Smith was dealing with matters as he found them, and when the catechism of the Assembly of Divines was the catechism in use, that was the one he directed to be used, and when after the death of Cromwell, Charles II. came back, and the Protestant religion again became the religion of the State, it was the catechism of Archbishop Usher who was to be used.

7333. Lord Justice Fitzgerald.—We have no evidence that Archbishop Usher's catechism was ever a State catechism.

Mr. Curran.—At all events we find him after the change in the ecclesiastical world, substituting the catechism of Archbishop Usher for the catechism of the Assembly of Divines.

7334. Professor DOUGHERTY.—Why did he not substitute the Church catechism?

Mr. Curran.—All I am concerned with is, that the mere direction at the time—having regard to the state of the law at the time—that Archbishop Usher's catechism was to be read, that the Scriptures were to be read, and that the schoolmaster was to be a Protestant is no sufficient evidence that Erasmus Smith intended his foundation to be a foundation for the benefit of Protestants, and for the benefit of Protestants alone. On the contrary, the very direction that the schools were to be primarily for the benefit of his tenants, for his tenants in Galway who were notoriously Catholic, and for his tenants in Tipperary, plainly shows that although he might possibly have had the desire that all the children who should come to his schools should in process of time be made Protestants, that may have been, though I don't think it was his intention—certainly the argument cannot be pushed any farther than that, that he intended these schools for the benefit of persons of all religious denominations. He must have done that, or his own tenants could not have gained the advantages he desired them to gain if Catholics were to be excluded. And therefore I submit that this mere direction of using Archbishop Usher's Catechism, and employing Protestant schoolmasters, and giving the control and appointment to Protestant bishops is no sufficient evidence that it was to be exclusively a Protestant foundation, having regard to the circumstances of the time. No other but Protestant schoolmasters could be got at the time, and therefore from the very nature and necessity of things the direction should be given that the schoolmaster should be a Protestant; and in the same way there was nobody else to whom the control of the appointments could be given, except to the Protestant bishops.

7335. Professor DOUGHERTY.—Did not the Act of Uniformity give the control to the bishops?

Mr. Curran.—Yes. He was dealing with things as he found them, and he was giving the best direction, and directing to be employed the only persons who could be employed under existing circumstances and under the existing law. If you come to the conclusion

that it was not intended to be an exclusively Protestant foundation, then it becomes a general educational endowment applicable to the children of all religious denominations. It may be argued that that is so, and that Catholics can send their children there, provided they are willing to be taught Archbishop Usher's catechism. But, as a matter of fact, as I gather from the evidence, Archbishop Usher's catechism is not taught at all, and therefore the argument founded upon the effect of the directions that Archbishop Usher's catechism is to be taught as successfully establishing that he intended the scholars to be Protestants is completely demolished when you see not face to face with the fact that the schools have wholly and long since discontinued the use of this catechism. The English schools which have been founded were no part of the original scheme, and the abolition of these English schools, or the diversion away of the funds from these English schools, cannot be said in any way to be against the spirit of the founder, because they are the creatures of Act of Parliament and not the creation of Erasmus Smith at all, and I would gather from the evidence of the Vice-Chancellor that he himself is of opinion that the subsidizing of these English schools is not a very desirable application of the funds of Erasmus Smith's endowment.

7336. Lord Justice FRYGIMON.—On that matter there is a portion of the evidence to which it is only fair to call your attention which you will find at p. 189 of the Endowed Schools Commission, 2nd vol., 1857. It was referred to by Mr. Anderson. [Read questions 22793 to 22795 both exclusive.] That letter was read by Mr. Anderson with a view to show that very much the same thing that goes on now went on then, namely that the Roman Catholics established schools of their own competing with his schools, and he said himself, "I cannot help it, if they don't choose to take what I offer." It struck us as a very important piece of evidence on this question.

Mr. Curzon.—Certainly, and the same question will arise on the case of the Incorporated Schools; my answer is that this plainly shows the Catholics were not to be excluded.

7337. Lord Justice FRYGIMON.—Not if they chose to come on the founder's conditions.

Mr. Curzon.—Therefore it was not an exclusively Protestant foundation, though the object, as it would appear by that letter, may have been to manufacture Catholic children into Protestants.

7338. Lord Justice FRYGIMON.—The question really is a very simple one, on that letter, was his intention that the Protestantism should be the first or an essential condition, or was the education of the inhabitants the first and only essential object.

Mr. Curzon.—I contend that his primary object was education, he starts with that in the preamble of his deed; he states that what he wanted was to have children educated, and this matter of religion was merely tacked on, was no essential part of the scheme at all, the primary object of Erasmus Smith being the diffusion of education amongst the poor, mainly amongst his own tenants, to provide the means of developing the intellects of such of the children of his tenants as were clever and industrious, and fit for university education, and so enable them to rise in life. That was the main object of Erasmus Smith, and these directions as to religion appear to me to form no essential element in the scheme at all, because as I said he was content to deal with matters as he found them, as is evidenced by the fact that he took the Assembly of Divines' catechism, at the time when that catechism was in use. Now, I therefore submit that the scheme which was brought forward here, on behalf of the Erasmus Smith School, should not be sanctioned by this Commission, because I find that it is made an exclusively Protestant charity, administered exclusively by Protestants, and Protestants of one denomination. It is expressly provided for instance that the ex officio Governors, who sometimes

are, and some of whom at present are Catholic, in future are to be excluded from the office of governor, and therefore, it is that the body of Governors is to be exclusively composed of Protestants of one particular denomination. Now I say that that is wholly a departure from the spirit of the founder, and from the words of the charter, and of the deed. There is further the introduction of a clause into this scheme which I think almost carries my case, and that is the conscience clause. If the governing body is to be exclusively Protestant, if the children in the schools are mainly to be Protestant, and if the Protestant religion is to be taught in the schools, I could understand the scheme if it left out the conscience clause. But it seems to me, putting in the conscience clause is at once an admission of what I am contending for before the Commission.

7339. Mr. J. J. Steno.—I do not intend to trouble your lordships with any objections to the scheme in detail at present. I wish at once to call your attention to what we consider the fundamental objection, and that is, we object at once and decisively to those parts of the scheme which make this foundation an exclusively Church of Ireland foundation, exclusively under the government and control of members of the Church of Ireland. We object to the provision that members of the governing body shall belong to the Church of Ireland exclusively, and that the masters must on pain of disqualification, and continue to be, members of the Church of Ireland. The sections that I wish to call your attention to, and to which we have the strongest objections, are sections 5 and 6, which relate to the governing body. Then there is a provision as to the master's religion in section 38. We also object to section 40, which provides for the declaration to be taken by each head master; and to section 52, which prescribes the religious instruction to be given in the schools.

Those sections, instead of in any degree widening or enlarging the basis on which these schools have been hitherto conducted, are a distinct narrowing of that basis. For, up to the time this scheme was brought in before the Commission, it cannot be contended that there was anything, either in the charter, or in any of the Acts of Parliament, which made it impossible for any man to be a governor of these schools who was not a member of the Church of Ireland. Next, whatever the practice of the governing body may have been as to the appointment of their masters, there is nothing in the constitution as it exists at present which makes it impossible for a man to be a master in any of the schools who is not a member of the Church of Ireland. But in the present scheme it would be impossible for a man to become or to continue a master or assistant master of any of the schools who is not a member of the Church of Ireland. This attempt to further narrow the system of government of these schools, and restrict their benefits to one particular denomination is a distinct departure, not only from the spirit, but from the letter, of the founder's intentions. Now, we contend on the contrary that the Presbyterian Church in Ireland is entitled to a very large share in the government of these schools, and in the benefits which these schools were designed to confer upon the people.

The first matter that I would call attention to is the indenture of 1st December, 1657. That indenture, no doubt, was made in the time of the Commonwealth and when the Puritan body were the dominant body in the state, both in England and Ireland; but when that is said with a view of diminishing the effect of the provisions made in this indenture, it ought to be remembered that this indenture was a purely voluntary deed. At the time that this indenture was made there was nothing binding on Erasmus Smith to found these schools at all; he had not committed himself to assign over these lands, or the rents of these lands, upon any trust, and, therefore, if he had been out of harmony with the Puritan spirit of the time, there was nothing at all calling upon him to commit to the

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hands of Puritan divines and others infected with Puritan sympathies, the management of the schools which he was about to found. But he voluntarily, and, without being compelled by anybody, takes as his trustees to manage these schools a number of men, the first six of whom are well-known Puritan divines, well known in the country as men prominent in the Puritan body, and the remainder of them men who were officials, occupying official positions in Ireland under the Government of Henry Cromwell.

1840. Dr. TRAILL.—Was there a single Presbyterian in the whole number?

Mr. Shaw.—That I cannot tell you; some were undoubtedly Independents, but I will be able to show that at that time those Puritan ministers, who were then conducting religious services in Dublin, were in close sympathy and communion with the Presbyterian ministers in the north of Ireland. They met together in Dublin and conferred together for the purpose of church government in Ireland, and the very men who are here mentioned actually joined together with the Presbyterian ministers from the north of Ireland in a conference in Dublin with a view to church government in Ireland, and signed a deed in common, in which they renounced not only all Papacy and Prelacy, but a number of modified episcopal views. They were in perfect harmony as to the mode in which religious affairs should be conducted in Ireland. Undoubtedly whatever the views of these men as to church government may have been, whether they were Presbyterians or Independents, and say your opinion from what I can gather is that some of them were Presbyterians and some Independents, there is no doubt that they were all Puritans, and that they were not only Puritans in discipline, but they were strictly and highly Calvinistic in doctrine; however their views might differ as to church government in theological doctrine and discipline they were very much in harmony.

1841. Lord Justice FitzGibbon.—As a matter of history were the Puritans, and the Puritan divines and the Calvinistic divines at that time any separate church in the sense in which you now claim to be so, or were they not members of the general Protestant church of the country who from time to time divided into parties; Professor Dougherty reminds me that Archbishop Usher himself was invited to attend the Assembly of Divines at Westminster.

Mr. Shaw.—And Archbishop Usher was undoubtedly in strong sympathy, not only in religious doctrine, but in church discipline, with the Puritan movement, and was in all senses a Puritan.

1842. Dr. TRAILL.—What do you mean by Puritan?

Mr. Shaw.—Anti-Episcopalian.

1843. Lord Justice FitzGibbon.—Leaving out Mr. Carter's view, which is a distinct one, you are endeavouring to make out what I believe is contrary to history, namely, that there were at that date two distinct establishments, two distinct churches, and not merely a body of men who all obtained to belong to the Protestant church and religion, but who were of very different schools?

Mr. Shaw.—Yes, my lord.

1844. Lord Justice FitzGibbon.—But we want in the nineteenth century to carry out the general result of intentions of the seventeenth, and you are not helping us to do that by what I may call historical honesty, as to what happened in the seventeenth century?

Mr. Shaw.—By the Act of Uniformity a great body was expelled from the Church of England.

1845. Lord Justice FitzGibbon.—Yes, but up to the Act of Uniformity most of them were beneficed clergymen of the Church of England?

Mr. Shaw.—Yes, but it was certainly entirely out of sympathy with the intentions of the founder to attempt to confine the management and the government and the benefits of these schools to the body which was not expelled, but which remained in the

Church of England, and Church of Ireland, and which, as I say, was the opposite body to that in which Erasmus Smith belonged, and to give no benefit to the section with which Erasmus Smith was in sympathy, namely, the body which was expelled by the Act of Uniformity, and which up to that time, had been an integral part of the Church of England, or Church of Ireland, when that body historically represents the body to which Erasmus Smith belonged.

1846. Dr. TRAILL.—Surely your view of history is not correct, the Presbyterians were bodily ejected out of Parliament by Cromwell's soldiers; the Parliament that Cromwell worked with, known as "The Rump Parliament," had not a single Presbyterian in it; the Presbyterians in Ulster all stood to the king.

Mr. Shaw.—I am not contending here for Presbyterians *versus* Presbyterians at all. I am contending here that we historically in Ireland, are the only substantial body that represent the Puritan party as it then existed, we are the only people who had the anti-episcopal views which were then represented by the Puritans.

1847. Dr. TRAILL.—I only object to your writing yourself of the majority of this word "Puritan." I say they were not Presbyterians in the time of Cromwell, they were "Independents," and were so violently opposed to Presbyterianism as they were to Episcopacy.

Mr. Shaw.—The Puritans were certainly not Independents alone. The Presbyterians of England and Ireland were distinctly recognised as part of the Puritan body.

1848. Professor Dougherty.—Does not the word "Puritan" cover people who take very different views of church government?

Mr. Shaw.—Whatever may have been the distinctions of church government, here we have Erasmus Smith, the spirit of whose intentions we are to discover as far as we can, committing the management of his foundation to a body of men, who certainly whatever else they were, were not men who took the church establisment as their model, either as religious doctrines or discipline. He commits to them the charge of these schools, and he makes it part and parcel of the trust that they are to catechise their scholars once every week, on some day, in the catechism published by the Assembly of Divines. Now that assembly's catechism was, as a matter of history, founded upon the catechism of Archbishop Usher, which was printed a year or two before the Assembly of Divines met at Westminster, and anybody who looks through the two catechisms, will see at once that the catechism of the Assembly of Divines follows as closely as possible on the lines of the catechism of Archbishop Usher, which was then in existence, and which was a document very well known. Now with reference to the matter to which Dr. Traill has referred, as to the distinction at that time between Independents and Presbyterians, I would draw attention to a matter of history, which seems to me of considerable importance in relation to the matter. When Henry Cromwell, who was then representing his father's government in Ireland, in 1658, called a number of ministers to Dublin, for the purpose of settling religious government—I am quoting from Reid's "History of the Presbyterian Church in Ireland," vol. 2, page 228. At that time Henry Cromwell "summoned a number of the more ancient Presbyterian and Independent ministers to meet in Dublin, and confer with him on the subject of their maintenance." These ministers met in Dublin. At that time of these gentlemen who are named as trustees of Erasmus Smith, this was the year after this instrument, the first six were all ministers who were actually preaching in Dublin at the time.

1849. Dr. TRAILL.—How many of those 148 ministers were Presbyterians? Six; you will find, Grey, Hall,

and Hart, and three others, and the rest were composed of twelve Episcopalians and 130 Independents or Baptists.

Mr. Shaw.—At page 556 you will see the list of the ministers and their allowances there.

7350. Professor DOUGLASS.—I suppose many of these, if not all, were beneficed clergymen of the city of Dublin.

Mr. Shaw.—They were all in Dublin, and were getting allowances from the State. I don't know whether they were beneficed or not, but we have there the names of those ministers who were at that time the actual trustees of this institution. These men met with their Presbyterian brethren of the North of Ireland, and they passed resolutions, and passed an address and agreement as to the future government of Ireland in religious matters, and they resolved in the very first article of the address to which they all subscribed their names "to disavow, and with all prejudice and faithfulness, as we have just conceived, to oppose Popery, Prelacy, not only as it is described in the Solemn League and Covenant, but also as it is cried up by some in these days under the specious disguise of moderated, regulated, or primitive Episcopacy, and all inventions of men tending thereto, Arminianism, Romanism, and all else." That was in 1657, and, I think, when we have a voluntary deed of Erasmus Smith made at this time, and when we have all these provisions as to the kind of men who were to have the management of these schools, we can pretty clearly see what his intentions were at that time. But now we go on to the state of things that occurred after the Restoration, when, as we all know, a great deal happened which made a great difference in the state of religious matters, both in England and in Ireland. The Act of Uniformity was passed, the Puritan ministers, Presbyterians, Independents, and all the rest of these were expelled, and Episcopacy was set up as the recognised state religion both in England and Ireland, and under these circumstances this charter was obtained.

7351. Dr. TRAILL.—Before you pass on from that document of Erasmus Smith, did you observe the last sentence of the proviso at the end:—

"Provided always that if the parties by these presents, their heirs or assigns, shall not, within the space of seven years next ensuing the date hereof, procure a Licence to be granted under His Highness's Great Seal of England, or else procure an Act of Parliament to be made for incorporating of themselves to be a Corporation in perpetual succession, and capable to retain the lands and premises to them and successors to the uses aforesaid, that then it shall be lawful for the said Erasmus Smith and his heirs into all and singular the premises to re-enter, and the same to have again and repossess, as in his former right, anything in these presents contained to the contrary in anywise notwithstanding."

The whole of these premises reverted to himself. Well, as a matter of fact, 1657 was the date of this, and seven years after would be 1664. He did not get his charter until 1669. So the property reverted to him again, and whatever point was to be made out of the appointment of these gentlemen is gone.

Mr. Shaw.—Erasmus Smith himself wanted to give some of this property to Christ's Hospital in London, and was not able to do so. When he did get his charter, a provision was made for religious education, on which my friend Mr. Anderson relied very much in the opening of this matter, as showing the founder's intentions. The catechism of Archbishop Usher, the Lord Primate, was then selected by Erasmus Smith, as the religious manual for the instruction of the children in these schools. Now, at that time, as we are all aware, the Church catechism was in existence, and was the recognised formulary for the education of children in the churches of England and Ireland. That Church catechism was not selected by Erasmus Smith as the formulary for the education of his children, but the catechism of Archbishop Usher was, and it strikes one at once that there must

have been some reason for that, and the only reason that I can discover is that the catechism of Archbishop Usher is, as anybody who looks into it will see, a catechism of the most highly Calvinistic kind, it is Calvinism in its highest essence. I am told by theological experts that it is a supralapsarian document.

7352. Lord CHAMBERLAIN.—Will you tell me what a supralapsarian document is?

Mr. Shaw.—I don't think I could explain it in a few sentences, but it means the highest form of Calvinism that you can conceive. But at any rate there is not one word in Archbishop Usher's catechism, as I am instructed, not one word from beginning to end which a Presbyterian of the present day or of any day could not sign or avow; not one word as to any particular form of church government. His doctrine as to the constitution of the church, and as to the nature of the church is exactly the doctrine which is held, and has always been held by the Presbyterian Church. There is nothing in the shape of Episcopal Church government or in fact of any species of church government in the catechism from beginning to end, and the whole catechism is, in fact, as I said before practically the basis upon which the shorter catechism of the Assembly of Divines was founded. Now there was another matter in this charter to which Mr. Anderson called attention, and on which he had stress in his argument, and that is the proviso in the charter on page 17:—"Provided always that every schoolmaster or usher of the respective schools which shall from time to time be placed in as aforesaid, shall be approved of by the archbishop or bishop of the diocese wherein they are to live, if they shall willingly subscribe the two first canons of the Church of Ireland, agreed on in the 20th year of King Charles the First." Now, at first sight one would appear to be justified in relying upon that as showing that the intention of the charter was that these schools should be certainly placed under episcopal government, or under some sort of episcopal control. But when you consider the state of things, and the state of legislation at that time, the Act of Uniformity having been passed, I think you will find when you look into that proviso more accurately, and consider what the obvious intention and effect of it was, that it is an argument in my favour, and not in behalf of Mr. Anderson, and for this reason. The Irish Act of Uniformity which was passed in 1665, 17 & 18 Charles II., cap. 6, provides in relation to schoolmasters:—

"Every schoolmaster keeping any public or private school, and every person, instructing or teaching any youth in any house or private family, as a tutor or schoolmaster, who upon the Feast of St. John the Baptist, 1667, or any time hereafter shall be engaged, and as on "or shall instruct any youth, as tutor or schoolmaster, shall before 29th September, 1669-J subscribe the declaration or engagement following:—I, A. B., do declare that it is not lawful upon any pretence whatever to take arms against the King . . . and that I will conform to the Usage of the Church of Ireland as it is now by law established, and I do declare that I do hold that there lies no obligation upon me or upon any other person from the oath commonly called the solemn league and covenant."

That is directed against the Puritans, of course.

"To endeavour any change or operation of government either in church or state, and that the same was in itself an unlawful oath."

That was in existence at the time of the passing of this charter, and under these circumstances what is it the charter says? The charter says that every schoolmaster that shall be appointed by Erasmus Smith, because the preceding clause of the charter gives the appointments to Erasmus Smith during his life; that every schoolmaster appointed by Erasmus Smith, and who shall from time to time be placed in the school on his appointment, shall be approved of by the archbishop or bishop of the diocese wherein they are to live, if they shall willingly subscribe the first two canons of the Church. The first of these is the

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one acknowledging the Thirty-nine Articles of the Church of England.

"We do receive and approve of the book of articles of religion agreed upon by the archbishop and bishops, and the whole clergy in Convocation in the year of our Lord, 1562, and if any person shall affirm that any part of these articles are superstitious and erroneous, let him be excommunicated."

And so on. That first canon binds a man to acknowledge the Thirty-nine Articles which as everybody knows is a Calvinistic document setting forth the doctrines of Calvinism as then prevalent in the Church of England. The second canon is the King's supremacy, and which is aimed not at Puritanism at all, but at the Catholic body who acknowledged the foreign power of the Pope in religion, and the subscription to this canon simply means, we don't acknowledge any foreign power; we acknowledge the King's supremacy in these kingdoms in matters of religion. Those are the two canons which it is provided by the charter the schoolmasters appointed by Erasmus Smith are to sign, and on subscribing these two canons willingly, it is prescribed that the archbishop or bishop of the diocese is to approve of them, and that was to meet of course the 94th canon of the church at that time existing, which provided that all schoolmasters and others were to train up children in good learning, civility, and piety.

"Provided also that none be admitted or licensed to be a schoolmaster or usher within this kingdom, unless he first by his subscription testify his consent to the two first canons," and also "That every archbishop or bishop shall accept all such who now teach, not having testified their consent by subscription aforesaid to desert from teaching schools."

So that Erasmus Smith by the charter prescribes the very minimum on which any archbishop or bishop could act at that time, that to say he was compelled to see that a schoolmaster acknowledged the two first canons which had nothing to do with church government.

1735. Lord Justice FRYGIMACK.—But still that brings you back to what I took the liberty of suggesting was a historical error. This canon bears date in 1534; and as I understand history, until they were ejected after the Act of Uniformity, those whom you call Puritans were in the church, great numbers of them were beneficed clergymen, in fact all of them that were clergymen at all were clergymen in holy orders of the church except during the Commonwealth. These constitutions, therefore, that you are referring to were the test to ascertain that a man did profess Protestant as contra-distinguished from Roman Catholic doctrines, but they had nothing to do with the question whether he was a Presbyterian in the modern sense or a churchman in the modern sense, they include them both.

Mr. Shaw.—Certainly, that is my argument.

1734. Lord Justice FRYGIMACK.—I don't think it could be well controverted, and I doubt that it is controverted by anybody, that all through this period when Erasmus Smith was dealing with this endowment as his own, at all events down to 1662, he was providing for the benefit of a body of Protestants, who included all who are now represented both by Presbyterians and church people.

Mr. Shaw.—That cannot apply to the charter, which was after the Act of Uniformity.

1735. Lord Justice FRYGIMACK.—No, but I say down to that. The difficulty you have to meet is to show that after the division took place your denomination was represented either proportionately or as a whole: you throw no light, as it appears to me, on the question by referring to these first and second canons, which were drawn up at a time when the distinction did not exist.

1736. Professor DOUGHERTY.—I understand your

point to be this, that the charter of Erasmus Smith required the schoolmasters of Erasmus Smith to do neither less, a good deal less in the way of recognizing episcopacy, and so on, than was required from schoolmasters generally under the Act of Uniformity?

Mr. Shaw.—Yes, under the Act of Uniformity, a declaration was required against taking up arms against the king, and a declaration of conformity to the liturgy of the Church of Ireland.

1737. Lord CHANCELLOR.—Was there not a Presbyterian church in 1660 in Dublin, and do not some of the present churches represent that church. You see one of the provisions in the charter is, that the schoolmaster was to be approved by the Archbishop or Bishops of the diocese?

Mr. Shaw.—My argument is that that is a mandatory injunction that the Archbishop and Bishops shall approve of the master if he conforms to the two first canons. That is a provision in favour of the master, and in favour of his liberty, it is not a provision, putting him under the government of the Archbishop, because the very next section removes him from episcopal visitation entirely.

1738. Professor DOUGHERTY.—As a matter of fact, under the Act of Uniformity, were not all schoolmasters at the time under the government of the Archbishop and Bishops?

Mr. Shaw.—They had to get a license from the Archbishop or Bishop, and as far as I can see, one of the things they must do, under the Act of Uniformity, before they got their license, if the provisions of the Act were fulfilled, was to conform to the liturgy. I don't read this as a proviso that nobody is to be a schoolmaster except a man that the Archbishop and Bishop will approve of, but it is a proviso in favour of the liberty of the schoolmaster. Now, I think that that is strongly borne out by the very next section of the charter, on page 17. "And we, of our further especial grace, certain knowledge, and mere motion, and by our supreme power and authority," and so on "to be placed in the said schools, shall for ever hereafter be exempted and freed of and from all visitations, punishment, and correction, to be had, used, or exercised, in or upon them, or any of them, by the Ordinary of the diocese." These schools are specially exempted by the charter from episcopal visitation. Erasmus Smith, during his life, and the Governors after his death, had the appointment of the schoolmasters, the Bishops are called upon to give their approval or license, if they subscribe to the two first canons willingly, and then the schools and schoolmasters are expressly exempted from episcopal visitation. And all that in this charter, which dates two or three years after the Act of Uniformity, seems to me to be strong and conclusive proof, that the intention of the founder was not to put these schools under any special party in the church, under episcopal or distinguished from non-episcopal Protestants, in this country. The intention was to put them under Protestants, but within Protestant limits, to make them as free and liberal as possible. The Irish Act was 1663, so that the charter was four years after the Act of Uniformity.

The next date that I think important in this matter is the letter of Erasmus Smith, in 1682. That letter was written when these schools were in full working order, because we have a letter of 1681 from Erasmus Smith, sending over a schoolmaster from London, Elisha Coles, and thus we can trace one, at least, of Erasmus Smith's selection of a schoolmaster, Elisha Coles is the nephew of a famous Puritan, the author of a book, "Coles' Divine Sovereignty." The author of the "Biographie Britannique" says that this was a book so highly Calvinistic in its tone, that being given to himself in his early days for his religious instruction, it turned him into an Arminian for the rest of his life.

The letter I am referring to is 25th June, 1683.

"The bearer thereof is the schoolmaster for Galway, Mr. Elisha Coles, he is worthy of your encouragement, as his

delicacy will testify, which hath the approbation of your Judge, few, and most of the learned schoolmasters. I shall desire that you will bear his charges from here to Limerick."

7353. Lord Justice FLEMING.—Erasmus Smith seems to have been all this time—looking over these minutes—constantly informed about the appointments. He refers to the school at Dragboda, and states his views about the dismissal of the usher, and concerning the master of the school. And then there is an important minute that "the schoolmaster at Galway be written unto that he do not refuse to receive into the school the children of the founder's tenants, though their children be Papists, so that they conform to the rules of the said school."

Mr. Shaw.—The last indication that we have at all of the spirit of the founder's intention was a letter of June 6, 1682, which has been referred to before, and which I refer to only for the purpose of showing what was the object. Now, when we come to 1682, we must remember that these schools were in full working order. Erasmus Smith gives us a very clear idea of what his intentions were, and his intentions were to propagate the Protestant faith according to the Scriptures, he does not say as established by law in the Church of Ireland, he says the Protestant faith according to the Scriptures, which clearly indicates that he had not in his mind any particular form of Protestant faith, as far as church government is concerned. He did not refer to any form of the Protestant faith established by law or set up in a particular form, he simply says the Protestant faith according to the Scriptures. That clearly indicates to my mind that Erasmus Smith's intention was not to propagate episcopacy, or any particular form of the Protestant faith, it was the Protestant faith as opposed to the Roman Catholic religion. He himself selected in his own indenture the catechism of the Assembly of Divines, but at a time when the Assembly of Divines was not in much favour among the authorities either of England or Ireland, he says it is the command of His Majesty to catechise the children out of Primate Usher's catechism, and with what design? With a view of propagating the Protestant faith according to the Scriptures, there not being one word in Archbishop Usher's catechism from beginning to end about any particular form of church government, or which would indicate in the slightest degree that any form of church government was designed to be propagated by Erasmus Smith, it was the Protestant faith according to the Scriptures, and as expounded in Primate Usher's catechism. Now, to say that it is in accordance with the spirit of the founder's intentions, if they are to guide us at all, that one particular denomination of Protestants, and one particular form of church government among Protestants is to get the whole and absolute control of this endowment founded by Erasmus Smith for the propagation of the Protestant faith, seems to me to be in absolute disregard, as far as anything could be, of the spirit of the founder's intentions. And when I suppose time, and by the progress of legislation a way has been opened up even under the charter as it exists, a few members of the Board having got in who are not members of the Church of Ireland, to exclude all possibility hereafter of any member of the governing body, or any master or assistant-master, unless they belong to the particular branch of the Protestant faith represented by the Church of Ireland in this country seems to me to ask what the Commission acting in the spirit of their Act cannot possibly grant.

7354. Dr. TRAILL.—Have you devoted your attention to the question of governors? I see your argument very plainly with reference to the schoolmaster, but have you devoted your attention to the fact that the thirty-two governors mentioned by him were all churchmen, and all further vacancies in the governing body were to be filled up by co-option, and for 200 years they have been co-opted on these lines?

Mr. Shaw.—The man could not help himself—when he could he selected a number of governors who were not Episcopalian. I would like to get some idea of how he could have appointed governors of any other kind. Suppose he had appointed as governors ejected ministers, ejected after the Act of Uniformity, what would have been the result? The whole thing would have been a nothing, the man had no option but was compelled by the state of the law, and the state of circumstances in which he found himself to nominate a certain set of governors.

7355. Dr. TRAILL.—In other words he accepted the charter on those terms, and you propose now to show that his intentions were contrary to those on which he accepted the charter.

Mr. Shaw.—Certainly, he could not get the governors that he wanted, he showed himself, when he was free and voluntarily established this endowment, the kind of governors he wanted; if he was afterwards compelled by law to accept another set of governors, that is no indication of his intentions.

7356. Professor DOUGHERTY.—Was there not some danger of his lands being alienated from charitable uses altogether if he declined to accept the terms which the King imposed on him?

Mr. Shaw.—I think there is some indication of that.

7357. Professor DOUGHERTY.—I think in one of the Acts there is a statement about some of his lands that had been entered upon.

Mr. Anderson.—There is an express reservation of his lands in one of the Acts for such pious uses as he intended himself.

7358. Dr. TRAILL.—I was only calling Mr. Shaw's attention to the fact that his case for the schoolmasters I thought was a very good one, but he had not applied himself to the governors.

Mr. Shaw.—He could not appoint any other sort of governors than those he did.

7359. Lord CHANCELLOR.—He actually appointed governors over the schools who would have children taught in the Protestant Episcopal religion.

Mr. Shaw.—He did as much as he could to minimise the danger of that.

7360. Dr. TRAILL.—Suppose the present governors did as much as they could to minimise the danger of that, would you be satisfied with the present constitution of that body?

Mr. Shaw.—I would not. I say these schools were established to propagate the Protestant religion in Ireland according to the Scriptures. Erasmus Smith was himself from all we can see a Puritan; he held Puritan views both as regards church government and theology and church discipline, and in every case where he had the selection he selected documents and models of education for the schools which were distinctly Puritan.

7361. Dr. TRAILL.—Suppose that was carried out by the present governors would it not be the same?

Mr. Shaw.—I think it would be safer to leave that in the hands of a mixed body.

7362. Rev. Dr. McILROY.—I understand your point to be that there is nothing in this charter which imposes any restriction on the governors in the selection of persons to fill up the vacancies that may occur?

Mr. Shaw.—Certainly not.

7363. Rev. Dr. McILROY.—And that there is a restriction in the scheme?

Mr. Shaw.—Yes, and this scheme takes what is present comparatively liberal and free scheme, and narrows it down to the narrowest point, and puts in the most extraordinary limitations, not only that a man shall be a member of the Church of Ireland when he is appointed, but when he ceases to be a member of the Church of Ireland, he is to have the same stigma put on him as when he becomes a bankrupt, as if the two things were similar—a bankrupt in faith, I suppose.

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Mr Shaw.

1770. Dr. TRAILL.—Then I suppose you will be satisfied if the governors strike out that provision about co-optation, and let them co-opt whom they like?

Mr. Shaw.—No, certainly not. I say the governing body ought to be a body that will represent all forms of the Protestant religion in this country, of which the Presbyterian Church is an important part, and that the school shall be open, and the masterhips of the schools open to Protestants of any denomination in this country, and that they shall not be restricted to members of the Church of Ireland, and the voting to be members of the Church of Ireland shall not involve the casting to be members of the schools, or members of the governing body. There are a great many details in connexion with the scheme to which we object, but I do not think there is any use in going into those. We think that the keeping up of these English schools, these primary schools, is a great abuse.

1771. Lord Justice FERGUSON.—There is a great deal in this old minute book, which is very important on these questions. I find the whole history of Mr. Coles, but your date was wrong, he was appointed in 1678, and he died in 1681, and Erasmus Smith's letter is not cut in the minutes, recommending him on account of his dictionary and saying he had been approved schoolmaster by somebody else. I find another entry which has an important bearing on Mr. Carleton's views, it is a report of a meeting in 1680:—

"We have also enquired into the state and condition of the schools at Drogheda, and at Galway, we find that notwithstanding there are schools settled, yet there are but very few whose children are taught there, by reason that other schools are provided in those places, and that those who are of the Popish religion will not suffer their children to be educated in those schools, nor by the schoolmasters, which seems a discouragement to them, and will in a great measure render us well the charity of the donors, as the cost in settling and maintaining schools is so great, if it be not soon prevented, we, therefore, humbly propose that some effectual way be taken to the end that none may be permitted to teach grammar in or near the towns of Drogheda or Galway, but what is taught in your schools, without which the object of your schools will be frustrated."

1772. Lord Chancellor.—I think we ought to get some of these minutes extracted ourselves.

Mr. Carleton.—I was going to ask for an opportunity of searching this minute book, as I think it would be important.

1773. Mr. Anderson.—On the 16th May, 1713, it was referred to a committee to report to the governors what method should be taken to prevent those being taught in the charity schools turning Papists, and accordingly a number of rules were drawn up:—

"That prayer be read every morning and evening in each of the said schools, by the master or usher out of the liturgy as by law established, at which every youth shall be by law obliged to attend." "That every youth educated in the said schools shall be instructed by the master or usher, in the Church catechism, on Sunday shall be properly examined in the same, and shall duly attend the services in the parish church where each school is situated."

Every person instructed in the catechism shall be brought to the bishop to be confirmed.

1774. Professor DOUGHERTY.—We may take 1713 as the date at which the narrowing of this endowment from its original purpose began.

Mr. Carleton.—We are perfectly satisfied if Mr. Murphy or Mr. Ellis, do as they did with regard to the other schools, that is, go through the minutes and make extracts.

Lord Justice FERGUSON.—We can arrange with Mr. Mansell to have that done. The minutes that appear to me to be most important are those during Erasmus Smith's own lifetime.

1775. Dr. Webb, &c.—I appear for the Methodist body, and they contend, as the Presbyterian body have

already contended, that this endowment was an exclusively Protestant endowment, but not exclusively Church of Ireland. It is important to consider what was the state of religious parties in 1687, when this original indenture was created by the founder of the charity. The Church of England had been virtually disestablished by the Long Parliament when it joined the Solemn League and Covenant and virtually introduced the Church of Scotland into England. The Presbyterians had been virtually displaced in 1687 by the action of the Independents. That is, the Independents at all events were the parties who were predominant in the State.

1776. Professor DOUGHERTY.—As a matter of fact, Henry Cromwell had a Presbyterian chaplain; the Presbyterian interest never was stronger in Dublin than in the time of Henry Cromwell.

Dr. Webb.—The year before this, when Oliver Cromwell had summoned his Parliament, there were no less than ninety members that he excluded from it of his own good will and pleasure, on the ground that they were not God fearing men and men of good repute. That at all events was the state of parties in England when this indenture was executed. The expression of intention on the part of the founder is contained in the words which have been already cited. Now, my learned friend, Mr. Carleton, has said that the object was education, but not religious education. I think that is displaced by the clause towards the end of the deed. "It is further by these presents declared to be the intention of all parties thereto that the said schoolmasters to be settled as aforesaid, to be obliged twice every day to pray with such scholars as he or they shall respectively teach." Compare that with the rule of 1713, where the schoolmaster is to read the prayers of the liturgy, and you will yourself see how wide a divergence that was from the original intention of the founder as he has expressed it here. The fact that it was the schoolmaster himself that was to pray without making any provision whatever that he was to be a clergyman belonging to any denomination whatsoever, would lead me to suppose that Erasmus Smith, so far as we know anything about the party to which he belonged was an Independent, and not a Presbyterian, or member of the Church of England. Now look at the scheme itself!

1777. Professor DOUGHERTY.—Is there anything about teaching the Catechism in that?

Dr. Webb.—It is for this purpose they should make use of the Catechism set out by Archbishop Usher. Now Archbishop Usher's notions upon ecclesiastical policy are very well known. Mr. Hallam gives an account of Usher's Model. He says it consisted, "First in the appointment of a suffragan bishop for each rural deanery, holding a monthly synod of the presbytery within his district; and secondly, in an annual diocesan synod of suffragans and representatives of the presbytery, under the presidency of the bishop, and deciding upon all matters before them by plurality of suffrages," which was very much the Presbyterian constitution.

1778. Dr. TRAILL.—But those presbyters were not Presbyterians, they were ordinary priests.

Dr. Webb.—I know, but presbyter was nothing more than priest writ large. That was the idea that he had for carrying out a comprehensive scheme by which the Presbyterians might possibly be tempted to join the Established Church.

1779. Dr. TRAILL.—The passage you have read means the exact opposite; if a man says the constitution is to be priests under a bishop that is an episcopal form of Government and not Presbyterian.

Dr. Webb.—Yes, but he was there without any supremacy, merely an equal with a right of presiding. When you come to look at the scheme sent in for your adoption, there is one point which throws very great light on the point put by Dr. Molloy, that is, whether in the letters patent of Charles II., there

was any provision whatsoever making it a qualification of a governor that he should belong to the Church of Ireland or Church of England. There is no such provision whatsoever, but the provision is this—

"And it was thereby ordained, granted, and appointed that when any of the governors should depart this life, or that when any of the governors should be removed from his or their place, the residue of the said governors and their successors should continue incorporated, and that it should be lawful for the rest of the governors, or the greater number of them then met and assembled, or that persons, to elect, nominate, and appoint one or more meet person or persons into the room and place of any such governor who should depart this life or be removed."

Now if you look at the 4th page of the scheme lodged, you will find that there is exactly the same provision made in the letters patent of William IV.—

"And the said letters patent contained a provision that as often and whenever any one or more of the governors should depart this life or be removed from his or their place or places of governor or governors of the said schools that then, and as often or more of them, met and assembled for that purpose, to elect, nominate, choose, and appoint one or more meet and proper person or persons."

This scheme is far narrower than that. The 5th section provides that nobody is to be a governor, unless he is a member of the Church of Ireland. The 28th section provides—

"No person shall be appointed to the office of head master or assistant master in any of the said schools unless he be a member of the Church of Ireland, and if any person appointed to any of the said offices shall cease to be a member of such Church, he shall thereupon be removed from such office."

7380. Lord CHANCELLOR.—Have you considered that portion of the charter which gives power to make rules and bye-laws, it contains this limitation:—

"So as the same be not repugnant to our prerogative royal, nor contrary to the laws and statutes of our said realm of Ireland, nor to any ecclesiastical canons or constitutions of the Church of Ireland which then shall be in force."

Dr. WELLS.—Are not to be contrary, that is a mere negative provision, but it does not establish, as I submit to you, a positive disqualification. Mr. Shaw suggests to me that that refers to the constitutions and canons of the church which provided that none are to teach a school without licence.

7381. Lord Justice FRYGEMAN.—The provision in the charter is a continuing provision that no bye-law is to be inconsistent.

Dr. WELLS.—But it is a mere negative proposition, and not a positive disqualification.

7382. Lord CHANCELLOR.—It rather shows what was in the man's mind in accepting this charter of Charles II.

Dr. WELLS.—Mr. Shaw has already addressed a number of considerations to the Commissioners on that point, which I think is the only answer that

occurs to me that I could give to your lordship in answering that question. That is exactly the qualification that is introduced here to No. 44 in this scheme, that is, that the new governors are to have the power of altering the rules, statutes and ordinances—

"So as the same be not repugnant to the prerogative royal nor contrary to the laws and statutes of the realm or to any ecclesiastical canons or constitutions of the Church of Ireland which then shall be in force."

Even that is a narrowing of the original provision.

7383. Dr. TRAILL.—The words are the same.

Dr. WELLS.—Yes, but the canons of the Church of Ireland are not the same as the canons referred to there.

7384. Dr. TRAILL.—The word "then" is in the original charter too, that at any time they may make their laws, provided they are not contrary to the laws then of the church.

Dr. WELLS.—That was a church that stood on a very different footing to the Church of Ireland now, a mere voluntary association that in the eyes of the law stands on the same basis as any other denomination of Christians.

7385. Dr. TRAILL.—Under the Irish Church Act all the canons and laws of the church remain binding on us still, except so far as we choose to change them by our own constitution.

Dr. WELLS.—The governors would have far wider powers under this scheme.

7386. Dr. TRAILL.—No, because it gave them at all times the power to make their laws so long as they are consistent with the laws of the Church of Ireland.

Dr. WELLS.—These are the laws of a private society, in the other case you were not to contravene the laws of the land.

7387. Rev. S. J. WHITCOMB.—I appear here to represent the Congregationalists or Independents of Ireland. We believe that Erasmus Smith was a Puritan and Independent, yet notwithstanding that, of course, we do not believe that he wished Independents or any one denomination of Protestant Christians to have the entire control of the endowment. And the contention that I put forward on behalf of the Congregational churches of Ireland is that this endowment should be in the hands of all the Protestant churches in the country, that there should be a proportionate representation upon the Board of Governors, and that no schoolmaster should be disqualified because he is not an Episcopalian, and that there should be no restrictions whatever confining the benefits of the endowment to one church beyond another. That is the ground upon which I appear here to-day.

7388. Professor DORRINGTON.—Substantially then your demand is the same as Mr. Shaw's?

Rev. S. J. WHITCOMB.—The same as that put forward on behalf of the Presbyterian Church, and the Methodist Church. I can simply say that we approve of what has been advanced on behalf of these two churches.

The Vice-Chancellor further examined.

7389. Vice-Chancellor.—My Lord Chancellor, before this examination begins, I wish to correct a slight error as to the name of a school which we were speaking about on the last day, I called it Newtown-stewart, and the real name of the school is Mount-stewart. I wish also to state the reason for continuing that as one of the English schools still in connection with the governors. It is true that the numbers in it are sufficient to obtain assistance from the Commissioners of National Education, but on going into the case we found that the master was very efficient, and a very old servant of the Board, and that we could not put him out without giving him a pension,

and on the whole we thought it would be more economical to continue the school as at present, giving him still our proportion of his salary, than to discontinue the school, and pension off the master, and I believe the mistress is in much the same position.

7390. Lord CHANCELLOR.—When the aid given by the Erasmus Smith Board to these English schools was discontinued, in whom was the property in the schools at the time?—I may say, as a general rule—there are exceptions to it—that in the grants that the governors obtained for the purpose of erecting these school-houses and premises there was a clause that in case the buildings should cease to be occupied and used as schools,

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and, in most of them, as schools in which Scripture and Church education was given, we should surrender the premises to the half-a-law or representatives of the grantor.

7391. Was this an obligatory clause contained in the grant?—It was, in almost every one, and we endeavoured, as much as we could, in making any arrangement to get the schools kept up either as National schools, or in some other way applied to the educational wants of the district. I remember that in some cases, where we were at liberty to do so, made leases at nominal rents to local persons, generally the incumbent of the parish, and some members of the select vestry, who wished to continue the schools on the old lines in the same premises, many of them in connexion with the National Board.

7392. But in all cases you tried to make provision that the school should be still carried on?

(Mr. Anderson reads clause in lease.)

7393. Dr. TRAILL.—You reconveyed the Ragby school to private trustees, but what became of the school at the other side of the river near Dunlough?—Had it any other name?

7394. It is between Bushmills and Dunlough Castle, it is given up, and the building occupied by a farmer.—I think it was given up long ago, before my time.

7395. Mr. Anderson.—In clause No. 1 of the scheme the present governors of the school are set out?—They are.

7396. In No. 2 you propose that there should be only two ex-officio governors for the future?—Yes.

7397. Namely, the Archbishop of the Diocese of Armagh, and the Archbishop of the United Dioceses of Dublin and Glendalough?—We came to that conclusion avowedly on the ground that we desired to continue the direction of the schools in the hands of governors who were members of the Established Church according to what had been the course of dealing for 200 years.

7398. Dr. TRAILL.—Church of Ireland?—Church of Ireland. And you may remember in some other case here a question was raised, which will possibly be mooted again, and that is whether having regard to the provisions of the Emancipation Act any of the persons who were ex-officio would not be disqualified from continuing so if they were Roman Catholics.

7399. Lord CHANCELLOR.—You propose that the total number of governors is to be gradually reduced?—Yes to twenty-five.

7400. What is the position of a governor of the King's Hospital in connexion with Erasmus Smith's Board?—The board of Erasmus Smith's schools is now empowered by statute to elect four of the governors of the Blincoot Hospital to be governors of Erasmus Smith's schools, and accordingly we are in the habit of electing a person from the board of the Blincoot Hospital to fill the vacancy of any member who had been elected from it before on our board.

7401. How did this privilege come to be established?—The Lord Mayor of Dublin, the Recorder of Dublin, and two of the Aldermen of Dublin elected by the Corporation were made ex-officio governors of our school, and a right was given to the Corporation to elect; that was changed by the Municipal Corporations Act, and instead of that the right was given to us to elect four governors from the Blincoot Hospital to be members of our board, and to send four members of our board to be governors of the Blincoot Hospital Board. Now, we propose to reduce the number from the present thirty-two to twenty-five. We thought it was an unwieldy body, and the business would be better attended to in case it was reduced to the smaller number.

7402. Lord CHANCELLOR.—What is the number of governors at present, including ex-officio?—Thirty-six. And then we propose that the number should be reduced by degrees, continuing all the present members of the board as we did not think it would be desirable or right to remove anyone from it, who is at present on it, unless we found that the attendance was so bad

as to require us to do it. We thought it would be undesirable to allow all the vacancies that should occur until the number came down to twenty-five to remain unfilled, because our best members might die, and we should have no power of filling up their places, and it might be the man who did not often attend who would remain, and therefore we propose to elect one for every two vacancies.

7403. Lord Justice FITZGERALD.—Did you consider assuming your own view of the exclusive character of the body to be adopted, whether it would be desirable to have any form of elective representation on the board?—No, we considered the system of co-optation would be by far the best.

7404. Dr. TRAILL.—That was provided by Erasmus Smith in his charter?—It was, and in the working of it by our board we have succeeded in getting very excellent governors; we always select men likely to do good work.

7405. Mr. Anderson.—In fact the provision in clause 5 about the co-optation is, with the exception of the provision about members of the Church of Ireland, copied from the two old charters. With regard to clause 6—

"If any of the governors shall go to reside permanently abroad, or become incapable of acting as a governor, or become bankrupt, or cease to be a member of the Church of Ireland, or shall send in his resignation in writing to the governors, and such resignation shall be accepted, every such person shall thereupon be removed from being a governor of the said schools?"

That is new, to some extent, but we have a power under the charter at present of removing a governor who has not attended for a space of two years. I think it is one year in this, except he can show good cause to satisfy the governors why he was absent.

7406. Dr. TRAILL.—Would it not be better to put it two years instead of one?—I don't think it would—why should a man remain on a board from which he absents himself for two years? If he does not come at the end of twelve months, when he has got notice that it is intended to remove him, and if he does not satisfy the governors that he had a good reason, but has remained away from neglect, I think he should be removed, but that is a question of detail.

7407. Mr. Anderson.—No. 7, about the quorum, is copied from the charter of William IV.?—Yes.

7408. Lord CHANCELLOR.—That was not in the original charter?—No. It was in the original charter that five of the governors could do certain things. No. 10, I think, is the next one necessary to refer to.

"The governors may from time to time sell all or any of the lands."

7409. At present you have no power of sale?—No.

7410. Have you powers of letting?—We have a twenty-one years' lease in ordinary agricultural districts, and forty-one years' lease in towns; but of course the general statutes have increased that from time to time.

7411. Section 11 provides for investments?—But then that really would be more called into use in cases where we were obliged to sell.

7412. Dr. TRAILL.—Would it not be better to strike out the Bank of Ireland stock; as it involves unlimited liability?

Mr. Anderson.—I suppose the question had not been discussed as it has been lately. No. 13 provides for the meetings of the governors.

7413. Lord CHANCELLOR.—Is not that as it is at present?

Mr. Anderson.—No, under the old charter they were to meet twice a year.

Vis-
Chancellor.—The governors at present meet at least six times a year in a board, and the committee meets once a fortnight. I wish to state in reference to an observation made by Mr. Carton to-day as to poor boys not being admitted as free pupils in the grammar schools, that in no single instance was a boy ever disappointed on account of his poverty; there were always other circumstances that controlled in the

case which rendered him ineligible. I really cannot specify the particular matters now, but in no case did it arise from the poverty of the boy.

7414. Dr. TRAILL.—There are free places in all these schools?—Free places in all these schools to the number of twenty in each school; we should be very glad if we could get them filled up, but cannot.

7415. Lord CHANCELLOR.—These are day boys?—Day boys. Boarders were never in the contemplation of Erasmus Smith, and have grown up afterwards, and don't interfere in the least with the day scholars, but in my opinion tend to keep up the efficiency of the schools by bringing in a better class of boys with whom the others can associate.

7416. Dr. TRAILL.—And their fees secure better paid schoolmasters?—Yes.

7417. Lord Justice FITZGERALD.—In Erasmus Smith's instructions he says, "No child is to be admitted to a grammar school or to be under the head master but such as have learned or are fit to be entered into the *Accidence*, or some introduction book into the grammar." That is the Latin grammar, and accordingly he did not contemplate that any child should get into the school at all unless he was a child that had already received a considerable education. But he has added this clause, "the older may, nevertheless, teach the children of the said tenants to read, write and count, so many of them as the master may judge will not prejudice his further attendance on the grammar school." He appears to have intended to give a high education, and whatever children came in, poor or rich, should be children capable of taking that education, having got preparation elsewhere, except in the case of the children of the tenants.

Vice-Chancellor.—During the time that I have been a governor of the school there has not been a single instance of an application on behalf of a tenant to have his son admitted to any of the grammar schools.

7418. Lord CHANCELLOR.—Is it known whether outside these estates that Erasmus Smith settled for the benefit of these schools he was possessed of other property?—He was possessed of other property, I believe.

7419. Is it known when he died?—Yes.

7420. Lord Justice FITZGERALD.—Is there any trace in your books of applications from tenants from any estate of Erasmus Smith other than your own?—None.

7421. Rev. Dr. MOLLOY.—Would it be possible, Vice-Chancellor, to get a rough estimate of the number of tenants at present on the estates of Erasmus Smith?—We can easily get it, the rental is here amongst the returns.

7422. Lord CHANCELLOR.—Is it known whether any one now represents Erasmus Smith or has come into possession of his other estates?—I have heard it said that Mr. Smith Barry and Lord Derby do. I think Lord Derby came in for a part of the estate. The circumstances of the times are so altered that really the tenants' children would not find it as a general rule convenient or desirable to attend a day school where there are. For instance Erasmus Smith had no property within fifty miles of Drogheda.

7423. Professor DOUGHERTY.—I see you propose to dispose of all these free places at the will and pleasure of the governors, would it not be more desirable to throw some of them open to competition by public examination?—I doubt that very much.

7424. Lord CHANCELLOR.—I think, Vice-Chancellor, he must have had some property near Drogheda, the Smith Barry family have estates there?—Well none of our estates are there.

7425. Rev. Dr. MOLLOY.—Is there not a strong presumption that Erasmus Smith had property round about the localities in which he himself provided that schools should be founded, especially when we see that the schools were intended for the benefit of the tenants' children?—I cannot answer that as a matter of fact, it is a fair inference to be drawn from the facts, very likely he had.

7426. Dr. TRAILL.—Have you any record on your book of tenants' children?—Not one, not that I ever heard of. I cannot say positively, I can only speak in my own time.

7427. Lord Justice FITZGERALD.—If we should adopt the principle of the scheme, our idea would be, instead of tying down the governing body to particular localities, to endeavour to give them a charter that will not want meddling with again, leaving it open to themselves to determine where they will have their schools. There is another principle that has been pressed upon us very much, that the charter should be put in such terms as would enable you to do what many people are calling for, if you found it expedient, namely, to establish one great school. All these things should be left in the hands of the governing body.

Vice-Chancellor.—Perhaps to save time it might be best instead of going through the details of this scheme that I should answer any questions the Commissioners or my friends on the other side would like to put to me.

Mr. Anderson.—In preparing that scheme we followed as far as we could, *statute cum scriptis*, the provisions in the old charter.

7428. Lord CHANCELLOR.—You propose to keep up the Harcourt-street School.

Mr. Anderson.—Yes, and make it a free grammar school.

7429. Professor DOUGHERTY.—Would it not be desirable to take general powers to assign, remove, and discontinue schools?

Lord Justice FITZGERALD.—It might possibly be necessary to require changes to be subject to the approval of the Board of Charitable Donations and Bequests, but the scheme should be as far as possible self-working and capable of alteration.

7430. Lord CHANCELLOR.—Now, I see as regards the masters, you propose giving the power of appointment and removal to the Board of Governors, and the masters are to be members of the Church of Ireland, substantially?—Yes, the head masters and the assistant masters.

7431. Who appoints the assistant masters at present?—The head master of each school, we don't interfere at all.

7432. Lord Justice FITZGERALD.—You make an allowance to the head master of a certain sum of money for himself, a certain sum for assistant masters, you secure that the head master shall be a member of the Church, and you don't interfere at all with regard to assistant masters?—Quite so.

7433. Professor DOUGHERTY.—Then this is a new power you are taking?

Mr. Anderson.—No, what we propose is that the Governors should have a power of appointing, but they can delegate it to the head master.

7434. Professor DOUGHERTY.—But you are restricting the power of the head master inasmuch as you are refusing to allow him to appoint anybody who is not a member of the Church of Ireland, whereas, at present the head master can appoint a member of any church.

Mr. Anderson.—We think on the true construction of the charter they ought to be members of the Church of Ireland, because approval by the Bishop of the diocese applies to the schoolmaster and usher.

7435. Professor DOUGHERTY.—Now, is it desirable, do you think, to restrict yourselves in that particular way?

Mr. Anderson.—The Governors think it is.

Vice-Chancellor.—We never considered that question about assistant masters at all; it never arose in point of fact in any way; we have nothing to do with them, and we let the head master appoint them. If it is desirable to strike that out and leave it at large I have no objection.

Lord CHANCELLOR.—In a place like Drogheda or Galway the assistant masters would have to be selected from a limited number probably.

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Vice-Chancellor.

7436. Lord Justice FRYGROVE.—I was anxious to ask you about the exhibitions; you still propose to continue what you call the twenty original exhibitions, and fifteen exhibitions in Trinity College, and also to establish certain exhibitions for the benefit of your four grammar schools, and the school in Harcourt-street. How are you bound to provide exhibitions for Trinity College which are not appropriated to scholars of your own schools?—We are not bound at all.

7437. Lord CHANCELLOR.—Are there no exhibitions in Trinity College on the Erasmus Smith foundation which are not confined to boys from the schools?—Yes, all these statutory exhibitions are open, except a small number that are supplemented, which are only a small proportion, and until very lately the statutory exhibitions were at the entire disposal of the Board of Trinity College. Lately we began to think that there was no reason why we should not have the disposal of these instead of leaving them to the board; now we give away the exhibitions provided we do it in a certain time or it lapses to the board again.

7438. You give them away as the result of examinations?—As a result generally of the progress of the boys in college from the reports of their tutors.

7439. Lord Justice FRYGROVE.—What rule prescribes the conditions under which these thirty-five original exhibitions are to be held?—There is no rule.

7440. I mean in your draft?—I don't think there is any.

[Mr. Anderson reads section 45 of Draft Scheme.]

7441. Lord Justice FRYGROVE.—Those exhibitions under clause 46 are made a first charge on Erasmus Smith's property, and are for a certain number of poor scholars, members or students of Trinity College, but there is no rule fixing the conditions under which they are to be given, whereas Nos. 47 and 48, make exhibitions given to students of your own schools subject to such rules and orders as the governors may from time to time make. Are you bound to supply exhibitions not under your own control to students of Trinity College, and if you are not so bound, do you think it advisable that you should continue so to do, or would you not be in a better position if the provision prescribing that you should supply a certain number of exhibitions left it to you to state the conditions under which they should all be held?—Certainly; but we have heard from a number of the Fellows that they find it a very great advantage to give these exhibitions to a number of poor students, and we did not think it wise to interfere with that.

7442. But you don't provide that poor students only shall get them. You told us in 1880 what was done about this. These exhibitions were first given through the Board of Erasmus Smith to students selected by themselves; they found they had not the means of ascertaining the best students, and they handed over the awarding of the exhibitions to the Board of Trinity College. The board found it too troublesome to investigate the case of each student, and they awarded it to anyone who got a gold medal, irrespective of his needs?—In several cases the boys who went up for these exhibitions have answered so nearly up to the lowest man who got a supplemental exhibition that we were very glad to give him one of the statutory exhibitions, these being boys from our own schools.

7443. You have no objection to an amendment to this clause 46, which would make the giving of exhibitions in Trinity College dependent on merit to be ascertained by the governors or by the Board of Trinity College acting with the governors?—I think what you suggest would be an improvement, decidedly. I will just call your attention to clause 50, if you approve of that.

7444. Professor DOUGHERTY.—The value of the exhibitions not supplemented is very small?—Very small. I think I said everything I had to say about the English schools last time. This is only putting into the scheme the powers we have been exercising already.

7445. Mr. Anderson.—Then with regard to religious

instruction, that resolves itself into the question of the Church of Ireland, and we put in what we consider a very ample conscience clause, that any boy who did not wish to get religious instruction according to the doctrines of the Church of Ireland need not attend.

7446. Lord CHANCELLOR reads section 60 of Draft Scheme. And I see in No. 43

"The governors shall have full power and discretion from time to time to regulate the amount of all fees to be paid by the pupils in each and every of the said schools."

Vice-Chancellor.—I think that in a very useful power so as not to leave it to the masters; it may very seldom be exercised, but it is a useful power to have; and then in case there is a surplus income it allows pensions to be given to old teachers.

7447. Mr. Anderson.—And a clause enabling them to apply money for the improvement of the school buildings, which is a desirable clause.

Vice-Chancellor.—And then, No. 65, the trustees' percentage to continue as at present.

Mr. Anderson.—They wish to keep that as a fund to be appropriated for such purposes as it is a present.

7448. Rev. Dr. MOLLOY.—With regard to clause 60, Vice-Chancellor, under that clause you propose to provide, I suppose, for other religious denominations besides that of Episcopalian Protestants?—Yes.

7449. And to protect their rights of conscience in case they go to the schools?—That is our object.

7450. Is not that a departure from the expressed intentions of Erasmus Smith?—Yes; I think it is.

7451. Mr. Anderson in his opening statement referred us to the letter of Erasmus Smith?—Yes; the letter of 1682.

7452. He says—

"If parents will exclude their children from our schools, and excommunication is commanded, I cannot help it; for to remove that bar is to make them scholars of Popery. Therefore I beseech you to command the schoolmaster—that shall be presented and approved by your honours to observe those that defile those duties and expel them."

So far from expelling them you protect them; I was anxious to know on what ground you propose to depart so widely from the express instructions of Erasmus Smith?—What we wish to do is to extend the benefit of secular instruction offered in our schools to persons of any religious denomination, provided they will accept that instruction, and not to impose upon them any necessity to attend religious instruction, while, at the same time, we preserve the giving of religious instruction in the schools to those who are willing to accept of it, and make it binding upon those of our own denomination to take the benefit of such instruction, leaving those of other denominations free to take it or not as they please, and provide that their not taking it shall not in any way prejudice them with regard to the secular education of the school.

7453. Why do you propose to extend the secular education to those whom Erasmus Smith proposed to exclude?—I can only answer that by saying I suppose the governors are taking a more liberal view of it than Erasmus Smith did.

7454. Erasmus Smith declares himself that he intended by this endowment to provide education for the children of his tenants; why would you not then take some measures to make the education you give available for the children of the tenants, seeing that you consider yourselves free to set aside even those impediments which arise from the express provisions of Erasmus Smith?—Well, really as regards the children of the tenants, we never had any occasion to consider the question, the schools have become now schools of a higher class than tenants would very much care to send their sons to, and there are no reasons in the neighbourhood of any of our schools that have applied to send their children there as tenants' children; if they come as free boys we admit them if approved of by the governors.

Mr. Anderson.—There is an express provision in clause 32—

"The governors shall have full power, license and lawful authority, at their will and pleasure from time to time, and at all times hereafter, to place in said grammar school, as free day boys, such numbers of poor children or scholars, not exceeding the number of twenty in each school (provided the tenants' children of the said Erasmus Smith, his heirs, executors, or assigns, who are not to be limited to any number) as to the governors shall seem expedient."

7435. Rev. Dr. MONROE.—What proportion of the pupils in the schools at present are tenants' children?—I don't think there are any.

7436. And are there not a great number of tenants' children in the neighbourhood of these schools who really want the kind of education you give?—As far as I know there are not.

7437. I don't mean who really ask for it, but who would profit by it?—I don't think so.

7438. Take the school in Ennis, round about that school there are a large number of Catholic farmers?—Well, there are none of them tenants of ours.

7439. Take Galway, are there not a large number of Catholic children in the town and country of Galway who would profit by this education if it were made accessible to them?—I don't think so, for this reason, our number of free boys never has been full in Galway, and there have been Roman Catholic children attending our school from time to time.

7440. What proportion of Catholic boys are there now?—The larger portion of them are Protestants.

7441. Therefore the larger number don't come from the larger number of the population. Is it not a fact that Catholic children are prevented from going to that school because the regulations are such as Catholic parents cannot accept?—Yes.

7442. Why not make the regulations such as Catholic parents would accept, seeing that you have held yourselves free to depart from the expressed intentions of Erasmus Smith?—I don't think any regulations we could make, short of secularising our schools, would make them fit for Roman Catholic scholars. As far as I can gather, there is an idea amongst those who have the guidance of Roman Catholic children that it is not safe to send them to any school where there is a Protestant principle, as the regulating principle of the school, and I don't think any change you could make as long as that idea lasts would induce the children of Roman Catholic parents to attend our schools.

7443. Then in your opinion, by maintaining this Protestant principle, you exclude the tenants' children whom Erasmus Smith intended to benefit?—We do not exclude them by our own action, but by following the directions of Erasmus Smith we afford a reason to the spiritual directors of those children against allowing them to take the benefit of those schools.

7444. But since you are free to depart from the intentions of Erasmus Smith, in that respect, might you not make your schools acceptable to the Catholic children?—If we were to cease to make them Protestant.

7445. Lord Justice FITZGERALD.—Are you not in the position of Erasmus Smith himself when he says "If they won't come, I cannot help them."?—I am quite satisfied to strike out the whole conscience clause.

7446. Rev. Dr. MONROE.—That is just what I expected, and I think your logical position is untenable. You must either exclude the conscience clause or go a good deal further than the conscience clause. What would you say to this view: the primary intention expressed by Erasmus Smith in the original indenture was to educate the children of his tenants; a further intention was to make Protestants of them. It appears now, and I think you have conveyed it yourself, that it is practically impossible at the present time to carry out both these intentions. If you insist upon teaching the Protestant religion, you practically exclude the

children of the tenants, whom he wished to benefit by this endowment. If on the other hand, you admit the children of the tenants on terms which would be acceptable to them, you must modify this rule of teaching the Protestant religion. It appears to me in clause 69 you have admitted the principle that you are free to depart from the instructions of Erasmus Smith, with respect to religious teaching, if you find it necessary, in order to carry out the main purpose of his intentions which was to give education. And, therefore, it appears to me that you ought to follow out your principle to its legitimate conclusion, and further to modify your system of religious education so as to make the whole system available to those for whom benefit the endowment was created?—I think if we were to follow the intentions of Erasmus Smith as appearing from these documents, we should closely confine this to a strictly Protestant institution, and at the same time, we should allow them to come as they liked, or stay away as they pleased; if they choose to come they must take it on the terms that Erasmus Smith offered it to them. But we thought that as nowadays this principle of mixed education, protected by a conscience clause, has come so much into operation, we should be extending the benefits of the schools without doing any injury to anyone by maintaining for our own children what I think is essential, that is, a strictly Protestant and Church of Ireland education for them, but at the same time, permitting any children of any other denominations, if they think proper, to come in, providing that they shall have the full benefit of all the secular education in the school, and that they shall be protected from any tampering with their religious faith. But if we have gone beyond the intentions of Erasmus Smith in this clause, as I have before said, the logical way to deal with it will be to strike it out, and have a strict enforcement of Protestant teaching in every school, but I think that would be a retrograde movement.

7447. Professor DORRIS.—You propose, Vice-Chancellor, by your scheme to make this more than a Protestant endowment, you propose to make it a purely Church of Ireland endowment?—Well, not altogether. We propose to let all children in, and have the benefit of the best education we can give them, without any interference whatever with their religious views, a Presbyterian, Wesleyan, or Congregationalist child may come, and have all the benefit of secular instruction.

7448. But you propose the governing body shall be of the Church of Ireland?—That is a different matter.

7449. The masters and assistant masters shall be of the Church of Ireland?—I am satisfied to have the assistant masters altered if you like, but with regard to the head masters it is only what Erasmus Smith intended.

7450. Can you give us any evidence that in imposing these restrictions you are carrying out the spirit of the founder's intentions?—I have given you all the evidence necessary.

7451. What evidence is there?—I refer you to Mr. Anderson's argument. I am prepared to give you any evidence as to facts, but as to arguing our position I must refer you to counsel.

Mr. Anderson.—I refer you to the charter, and that letter of 1683, showing it was clearly intended to be a Church of Ireland endowment.

7452. Dr. TRAILL.—I suppose you make a distinction between a Governing Body of the Church of Ireland, and the benefits of education being open to Protestants of all denominations?—It is on these lines that we prepared this scheme.

7453. And although Erasmus Smith gave no directions that would limit the teaching to children of the Church of Ireland, he named as members of the governing body, persons who were members of the

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Church of Ireland, and give them power to appoint their successors?—Yes.

7474. Professor DOUGHERTY.—You are aware that at the time Erasmus Smith named his governors the Church of Ireland was a broader institution than it is at present?—Yes.

7475. Mr. CARTON.—I find, Vice-Chancellor, you have an estate in Sligo; is there any provision at all for giving education to the tenants on Erasmus Smith's property in Sligo?—None whatever. There are two English schools, I think, in the county Sligo, but whether they are near the small property we have there I cannot say.

7476. £430 a year, and there are eighteen tenants on it, are there; I don't think there is a single Protestant amongst them.

7477. In the county Limerick there is a large estate of 150 tenants?—Yes, there is a large estate there.

7478. What provision is there for the education of children there?—We have an English school at Doon, and another at Pallasgreen, which is on the estate, and we pay the whole expenses of these schools.

7479. Lord CHAMBERLAIN.—And are the children who attend these schools Roman Catholics?—I don't think there are any.

7480. Are there Protestant tenants on this property?—I suppose there are some, I don't know.

7481. Mr. CARTON.—In the King's county you have an estate?—It is only a small thing, a headrick.

7482. But the man who pays that for farm rent has tenants. There is no provision for a school there?—No, but according to Erasmus Smith's charter, they must be within two miles of the school.

7483. That is for the twenty poor children. Well in the county Wexmouth, there is a rental of £4281?—Yes.

7484. Are there any English schools there?—There is a school at Athlone, and another at Mount.

7485. Is there any English school on the property?—I cannot tell you.

7486. With reference to the grammar schools at Tipperary, Galway, and Ennis, what actually do the board pay for the maintenance of the schools, you do the landlords' repairs?—We do landlords' repairs, and a great deal more generally; we pay the head master, and give allowances for assistant masters.

7487. How much in Tipperary?—I gave it all on the last day.

7488. Mr. CARTON.—Then the only thing the board pays towards the maintenance of one of these schools is, they maintain the schools in repair, and pay the head master?—And an allowance for assistant masters.

7489. That is included in the allowance to the head master?—But it must be applied by him, and booked as paid to the assistant masters; he cannot put it into his pocket. There are a number of small things in connection with them, such as playgrounds and cricket fields that we pay.

[Lord Justice FRANCIS reads q. 2115.]

7490. Dr. WELLS.—Would you turn, Vice-Chancellor, to No. 44, that is the clause which enables the governors to make any rules, statutes, or ordinances.

[Dr. WELLS reads clause 44 of draft scheme.]

7491. Under that authority would not the governors be at liberty to introduce a rule that no boy should be at liberty to attend the school who was not

a member of the Church of Ireland?—I don't know how that would be.

7492. Dr. TRAILL.—That would be an extreme interpretation of the words "contrary to law or contrary to our customs"?—I fancy we might have the power; it would be unlikely that we would exercise it.

7493. Dr. WELLS.—I am sure you would not exercise it, but would you not have the power?—It is surely the construction of the rule.

7494. Would there be any objection to make it so that no boy shall be prevented from attending by reason of his religion?—I think that comes in certainly under the conscience clause.

7495. But you see willing to strike that out?—You may put the other in instead of it, I would rather it remained in, I confess, for I would rather the secular education was open to every boy who was willing to take advantage of it, and that interference with his religious tenets should be protected as far as we possibly can.

7496. The conscience clause in its strict grammatical construction would not prevent the passing of any such rule under section 44, because it only provides that if a boy does attend he is not to be prejudiced from any of the advantages?—To any verbal alteration of that kind I don't object.

7497. Lord Justice FRANCIS.—In your scheme, No. 51, you provide that the governors "shall maintain and keep up the Brunswick-street school, as a day school for boys, so long as the same shall in their judgment be useful and of public advantage." At the same time you provide that you may keep up the Harcourt-street school. I believe in matter of fact the Harcourt-street school is a higher class of school than the Brunswick-street school?—Much higher.

7498. Your main object in general terms would be to give you power to keep two schools in Dublin, one a higher grammar school, and another a mercantile school?—Yes.

7499. Your object is to take power to keep up two different schools in Dublin for different classes of boys?—Quite so.

7500. Mr. CARTON.—Is there an assistant master allowed in a school if the number of boys is under forty?—There is no limit now, but practically that does not exist, for there is no school at present under forty.

7501. That is if you count in the boarders?—Yes.

7502. Has the old provision in the charter, that there was only to be an usher when the number of boys exceeded forty, been abrogated?—It has not been acted upon.

7503. There is no subsequent charter getting rid of that?—I think there is.

7504. Because I find amongst the early minutes in Drogheda the head master was rather severely reprimanded for attempting to have an usher when there were only thirty boys—that was when Erasmus Smith was alive?—I think there is, here it is, it is in the charter of William IV. "Our further will and pleasure is that it shall, and may be lawful for the governors and their successors, or any five or more of them met and assembled to appoint one or more usher or ushers to such of the schools, when they shall judge it expedient, and for the benefit of the schools without reference to the number of scholars who may then be in such school or schools."

Rev. G. T.
Stokes.

Rev. G. T. Stokes sworn.

7505. Mr. Mounsell.—You are the Professor of Ecclesiastical History in the University of Dublin?—Yes.

7506. You read this indenture of 1st December, 1637?—Yes.

7507. You see a number of these names there?—Yes.

7508. Can you identify any of these persons who are named there as trustees?—Yes, I can. Dr. Jones, he had been bishop of Clogher under Charles I. At this time, in 1637, he was Vice-Chancellor of the University of Dublin, and he held the office of Quartermaster-General in Cromwell's army, it was something like

Quartermaster-General. Subsequent to the restoration of Charles II. he was a regular vicar of Bexy, for he managed to be appointed bishop of Meath, but having sided as Secretary-General to Cromwell's army, he was not allowed to join in consecrations, having been a man of war, so that he was evidently a gentleman of peculiar religious opinions.

7506. Dr. TRAILL.—Was he not a nephew of Archbishop Usher?—He was a nephew of Archbishop Usher, and if you can argue a man's religious opinions from his uncle's, he should be very high church.

7510. Professor DOUGHERTY.—So that, as a matter of fact, although a bishop of Meath he was not allowed to exercise his jurisdiction?—He was, in all things except consecration.

7511. Is not that a very important part of a bishop's functions?—Yes.

7512. Dr. TRAILL.—It is not correct to say he was not allowed to ordain?—No. There were twelve bishops consecrated in Christ Church Cathedral after the restoration, but he was not allowed to join in the act of consecration.

7513. Mr. MANNING.—Who was Samuel Winter?—He was an Independent minister and Provost of Trinity College under the Commonwealth. I heard it stated to-day that Cromwell was a Presbyterian.

7514. Professor DOUGHERTY.—No, but he had a Presbyterian chaplain?—I find in Reid's History of the Presbyterian Church the following statement, vol. II, page 212:—

"Henry Cromwell arrived in Dublin as Major-General of the army in Ireland in the beginning of July, 1655, and was accompanied by his chaplain, Mr. Francis Roberts, Independent; to counteract the influence of Patrick and the Baptist preachers, he brought over several other Independent ministers when he settled, either as Fellows in Trinity College, or as preachers in the city churches."

And if you turn to page 215, in a note I find an extract from a letter by Mr. Thomas Harrison, the Independent minister, who came with Mr. Henry Cromwell, showing that he was an Independent.

7515. Mr. SHAW.—If you look at the note on page 213 you will see that one of the ministers who came with Henry Cromwell was a Presbyterian?—Yes, but the overwhelming majority were Independents, and certainly Dr. Thomas Harrison complied the pulpit of Christ Church.

"Dr. Winter, Provost of the College occupied that of St. Nicholas, and Mr. Robert Chambers that of St. Patrick's."

7516. It does not say he was brought by Cromwell?—On page 365 it states that the whole establishment of Cromwell was Independent or Baptist, with six exceptions.

"The reader will remember that with the exception of six ministers who were Presbyterians, and, perhaps a dozen Episcopalian, the remaining 150 were Independents or Baptists."

And they had very good salaries, £300 a year each.

7517. Rev. Dr. MANNING.—How many divines had he in attendance on him altogether?—I don't know; I don't think he had very many.

7518. Lord ORANMULLO.—But the establishment you speak of there, what was the number of them?—One hundred and thirty.

7519. Professor DOUGHERTY.—Were Dr. Winter and Dr. Harrison ministers of the church as by law established?—Of Cromwell's state establishment.

7520. Dr. TRAILL.—Did not Cromwell in the appointment of this various heterogeneous collection of ministers act in accordance with the instructions given to the Royal Commissioners, and were not their instructions to appoint all persons with proper gifts for preaching?—I think in Cromwell's time they did not mind ordination. Dr. Reid complains all through the volume that the Presbyterians were persecuted by these Commissioners.

Professor DOUGHERTY.—Everybody persecuted in those days.

7521. Mr. MANNING.—Henry Wootton?—I cannot

identify him, unless that he was in those 150, there were only six Presbyterians, so that the chances are very much against his being a Presbyterian.

7522. Professor DOUGHERTY.—Why not assume that a Presbyterian might creep into this indictment?—There were altogether 148 ministers in this establishment, and that included the prebends of London-derry, Balisat, and Beltsheet, which included thirty or forty ministers, and certainly it is likely the Presbyterians were up there.

7523. We have it in evidence that there was a considerable number of Presbyterians in the Dublin establishment?—Allow me to refer you in that case to a very fair authority; I hold in my hand a pamphlet published by the late Dr. Urwick.

7524. Who was an Independent minister?—Yes. He distinctly states here in "A history of Independents in Ireland," on page 35, that there was not a single Presbyterian minister or Presbyterian Congregation for fifty years after the year 1650 in Dublin in connexion with the Synod of Ulster; they were all Independents in reality.

"When he mentions moderate Presbyterians in Ireland as those with whom Winter and others united, he means those of his own class as distinct from the Ulster Presbyterians of the day who stiffly maintain the Scottish form." Then down to fifty years later the Ulster Synod had no Congregation south of Belfast.

7525. Dr. TRAILL.—Is there not an analysis in that book of the ministers on the civil establishment of the Commonwealth?—Yes; six were Presbyterians, twelve were Episcopalian, and 130 Independents or Baptists.

7526. Wootton is mentioned here?—Yes, I have him marked; he got £300 a year.

7527. Lord ORANMULLO.—Samuel Mather?—He was an Independent also.

7528. Robert Chambers?—He was the minister of St. Patrick's, and is mentioned by Urwick as an Independent minister on page 17 of his pamphlet.

7529. Dr. TRAILL.—Mather was a Fellow of Trinity College?—Yes.

7530. Mr. MANNING.—The next is the Attorney-General of Ireland?—It appears he was also Attorney-General after the Restoration, he was prepared for anything, and he was also Chief Justice afterwards in the King's Bench; and William Basset also, I have identified him in the law list, and John Byss, the Recorder of Dublin.

Lord Justice FRANKLIN.—He appears as Chief Baron.

Witness.—Thomas Herbert, he was a well-known man. 7531. Mr. MANNING.—Squire?—He became a violent Tory and represented Caran, I think, in the first Restoration Parliament. The remaining men I have also identified. They all got seats in Parliament and were high for the King's party and non-resistance.

7532. Dr. TRAILL.—There was an address published by Winter's church in Dublin declaring their cordial approval of Cromwell's Government, and that was signed by Winter, Preston, and Hook?—Yes, there is nothing clearer than that the Presbyterians and Henry Cromwell were at daggers drawn. There is one section here in Reid headed "Henry Cromwell jealous of the Presbyterians."

7533. Professor DOUGHERTY.—How does the naming of these Independents prove that it was the intention of Erasmus Smith to make this a Church of Ireland endowment?—It only proves he did not intend to make it Presbyterian. It shows the Presbyterians had nothing to say to it, it is entirely a question between the Independents and us.

7534. Mr. SHAW.—What have you to say to it?—There was a bishop to commence with.

7535. He was not a bishop then?—Oh, a bishop once is a bishop for ever.

7536. Lord ORANMULLO.—He was not a bishop before that time?—He was bishop of Clogher under Charles I.

7537. Professor DOUGHERTY.—Then he became an Independent minister?—No, I beg your pardon, Scotch

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Rev. G. T. Stokes.

May 19, 1896.

Rev. G. T.
Selden.

master-General, and then Vice-Chancellor of Trinity College.

7538. Lord Justice FRYSTON.—Have you given us any evidence, or have you given only conjecture as to what the office of Secretary was, it may have been connected with the Intelligence Department?—Perhaps so. Reid tells the history at page 254. "The history of Henry Jones is remarkable. He was nephew to Archbishop Usher. Through the interest of the Marquis of Ormonde he was made bishop of Clogher in 1648. As it soon afterwards became apparent that the church was not the way to promotion, Jones turned Republican, and joined the Regicides. We find him pressing the engagement, and during the Protectorate he was appointed one of the trustees of the schools of Erasmus Smith. The Protector now that he possessed ability and energy, and furnished him with employment. The bishop accordingly laid aside his clerical garb, and arrayed himself in regimentals and became Secretary-General in Cromwell's army. He is reported to have been an intrepid soldier, and to have signalled himself by his bloody achievements. On the death of Cromwell he anticipated coming changes, again turned Royalist and exerted himself in promoting the Restoration. He was in consequence permitted to retain the See of Clogher, and was subsequently made bishop of Meath, but in 1661 when a fresh batch of Irish prelates was consecrated in Dublin, Jones was not permitted to join in the imposition of hands. It was not considered seemly that the old Cromwellian Secretary-General should be employed in the consecration of the new hierarchy."

7539. Professor DOUGHERTY.—Do you think we can rely upon the reflections of a Presbyterian historian on the character of this prelate?—Oh, fully, I think.

7540. Mr. MOWAT.—Now, in reference to the catechism—I heard Usher's catechism described as an supralapsarian document, I would like to see the document so described, because I have an authentic copy of Usher's catechism here.

7541. Lord Justice FRYSTON.—Is Usher's catechism the same thing that is called "The Principles of Christian Religion"?—Yes; Usher's catechism is the document which you will find printed in his works, vol. xi., p. 177-220, Eltington's edition.

7542. Professor DOUGHERTY.—But before we go to Usher's catechism, I wish to ask you a question about the catechism prescribed in the original indenture. Do you happen to know anything about the catechism of the Assembly of Divines?—I do, the Assembly of Divines was not a Presbyterian body at all, there was a considerable number of Episcopalians in it.

7543. What do you mean by a considerable number?—There were half-a-dozen bishops at least, Usher himself was invited, the Bishop of Clogher and the Bishop of Oxford were too.

7544. Did they attend?—They did, for a while.

7545. Did Archbishop Usher attend?—No, he did not. "Sense of the persons elected"—I am quoting from Stoughton's "Religion in England," this also is a Nonconformist document, Stoughton is a Congregationalist—"some of the persons elected were so earnest that it was impossible that they should not occupy a very influential position in the conference to which they were called." Then he says that Selden and Whitlock frequently attended, and took a leading part in the debate.

7546. Dr. TRAILL.—Who was Selden?—The great authority on titles of honour, he was a celebrated oriental scholar too. "There were laymen named first by the Parliament, twenty of them were Commissioners, and ten lords, the lay names were followed by those of 121 divines, Episcopalians were not excluded. Usher, of world-wide celebrity, Archbishop of Armagh, the Bishops of Clogher, Bristol, and Worcester are to be found on the roll, with other persons who afterwards became bishops; the Bishops of Oxford, Lichfield, Winchester, and Gloucester." This meeting in

looking through a history of the Westminster divines, I found a considerable number who became doctors and archdeacons, including Hoyle, our own Regius Professor of Divinity, the only representative of Trinity College who attended.

7547. Professor DOUGHERTY.—I believe Bishop Mant reflects strongly on Hoyle for attending the assembly?—Certainly.

7548. Are you not aware that the catechism published and set forth by the Assembly of Divines is still the catechism in common use in the Presbyterian Church?—I am aware.

7549. So that the Presbyterians would appear to be the ecclesiastical descendants of the divines mentioned in this document, so far as doctrine is concerned at all events?—Not at all, I don't admit that, the Nonconformists of England generally used the shorter catechism. There is no reason why I should not use it, just as there is no reason why you should not use our catechism.

7550. Lord Justice FRYSTON.—You have read the catechism of the Assembly of Divines, and you have read Archbishop Usher's catechism, has either of these catechisms in any part of it anything dealing with questions of church government?—Neither.

7551. I observe in one of the "Principles of the Christian Religion," several churches are mentioned, look at page 192; is there anything denominational (as amongst Protestants) in either "The Principles of the Christian Religion," as published by Usher, or in the catechism of the Assembly of Divines?—There is not.

7552. Then what inference do you draw from the discussion about these two catechisms?—In my opinion there is nothing denominational in our catechism.

7553. Is this the upshot, that so far as reference to any ecclesiastical authority is concerned Erasmus Smith has not referred to anything belonging to any particular sect, or prescribing any particular mode of church government?—Children were never, by anywise people, as far as I know, instructed in controversial matters, they were instructed in principles, and he has only referred to sources of instruction, which were of a general character, no doubt of a very marked Protestant character, but not going into subdivisions.

7554. There is not in any of his documents any reference to any specific matter, such as sending children to any parish church?—Such a thing as that does not enter into the church catechism.

7555. In 1712 there is a distinct provision that the schoolmaster was to use the liturgy in the daily progress in the school?—The only provision about that that I am aware of is in the general rubric at the end of the church catechism that the children should be brought to be catechized. Usher divided that catechism into fifty-two portions, for he drew it up for the use of the students of Trinity College, and he catechized them every Sunday.

7556. Mr. M. P. D. Rodin.—I shall have some difficulty in addressing my observations to the Court after what has fallen from Mr. Curzon, and the observations made by Dr. Melley in reference to the conscience clause, because they have anticipated to a great extent what I had intended to say, but I wish to call their attention to the fact that we have an express decision under the 9th subsection of the 7th section, that this endowment is not provided exclusively for persons of any particular religious denomination. And that immediately shifts us to the section that enables the Commission to deal with the endowment as if it were not for the exclusive enjoyment of any religious denomination, for my purpose that means Protestant as distinguished from Catholic.

7557. Lord Justice FRYSTON.—We were obliged at a very early stage to consider this matter and we decided that "Protestant" did not mean a particular religious denomination for the purposes of the section.

Mr. Rodin.—At any rate I have a decision that this endowment is not provided exclusively for the benefit of persons of any particular denomination, and

I take that to mean that I have a decision to the effect that it is not provided exclusively for the benefit of the Protestant denomination. I don't want to use the words "Church of Ireland." The Episcopalians would exclude the Presbyterians, and both would exclude the Methodists, and we, Catholics, are willing to admit all, so that we ourselves are admitted. Having a distinct decision that we are not to be excluded from the endowment, I then come to the section that provides the manner in which the Commissioners are to deal with the question. The only practical limit to the discretion is the somewhat vague limitation that in framing schemes it shall be the duty of the Commissioners with respect to constitution, governing body, and educational provisions to have regard to the spirit of the founder's intentions. That is a vague condition, and one that leaves the Commissioners if not altogether, very nearly at such discretion as if the endowment was a free endowment. The first and main thing we have to consider in dealing with the founder's intentions, is the object of the founder's bounty. And therefore the first important consideration is, who were the objects of the founder's bounty, and I think the first essential is that those objects, or people as nearly representing them as it is possible for the Commissioners to discover, should be still the objects of the founder's bounty, and be the people to partake of the benefits of this endowment. In the document in which he originally conveyed his estates, so far as they were his estates, for the purpose of promoting education, the intention is expressed to found and establish three free grammar schools, one in the town of Drogheda, another in Galway, and a third in Tipperary, and by the said letters patent it is "provided that the said Erasmus Smith during his life, and after his decease the governors of the said schools for the time being and their successors, should have full power from time to time, and at all times thereafter, to place therein such numbers of poor children and scholars, not exceeding the number of twenty of the said scholars (besides the tenants' children of the said Erasmus Smith, his heirs, executors, or assigns, who were not to be limited to any number, as to the said Erasmus Smith, during his life, and after his decease to the governors for the time being and their successors should seem convenient." And it is expressly provided again, the poverty of these scholars being always a matter insisted on, and freedom from charge that these scholars should be educated in a specific way, and this rule is the substance of the intention so far as we can gather it from this deed. Therefore we have to start with the class of persons for whom this endowment is intended to be provided. I think we are here claiming no more than we are entitled to, that the main object of the bounty of Erasmus Smith in this matter, were the people whom he called Papists, and whom I venture to call Catholics, who were residing on his estates near his schools. The religion of the people on those estates of Erasmus Smith will be a matter for the consideration of the Commissioners, but apart from that we have it over and over again shown by those extracts from the minutes to which the Lord Justice called attention, that the people for whom it was intended—whether they chose to avail of it or not—were the Papists, who would not attend. Over and over again Erasmus Smith devised all sorts of ways and means to tempt those houses to come to the water and drink. With regard to the letter, which is an important piece of evidence in the case, though not so important for some reasons as the original deed or the charter, it must be called to mind that the time this letter was sent, and certain restrictions were intended to be re-imposed, was the time of the Popish plot in England, the time when the condition of Papists was at its very worst and lowest, and it is significant that it is by the command of His Majesty that Erasmus Smith writes this letter. It appears that these schools were far from being successful in Erasmus Smith's lifetime, for in his letter he speaks about the number of scholars starving the tree.

If the endowment was not intended almost exclusively for Catholic children, how could the schools be starved by the non-attendance of the Popish children. Therefore I take it that in determining the main object of Erasmus Smith's bounty, we are fixed to this, that the people he intended to benefit were the poor Popish children of tenants on his estate. And he goes on to say, "If parents will exclude their children—if they won't attend I cannot help it." He has no alternative scheme to offer.

7538. Lord Justice FRYGROVE.—He not only has an alternative scheme but he declares it.

Rev. Dr. MONTAGU.—To expel them.

Mr. BODLEY.—He has no alternative scheme to offer for the distribution of his endowment.

7539. Lord Justice FRYGROVE.—He says he gives his endowment on certain conditions, and if they won't take it on those conditions, he cannot help it.

Mr. BODLEY.—I submit that the scheme now presented does not carry out the spirit of Erasmus Smith's intentions, but the spirit of the Vice-Chancellor's intentions, because when the school fails by reason of the non-attendance of the poor Papists, he gets rich Protestants. That was not Erasmus Smith's intention but the intention of the Vice-Chancellor. Erasmus Smith has an alternative scheme, that while preserving the endowments for the poor Popish tenants, makes them available by providing any other schools. He would have a legal forgetting of the neighbouring schools in order to make his schools a success. Therefore on every ground, I am entitled to assume this, that the benefit of the endowments was intended for Popish children, and I think that is a large step to go in determining what the spirit of the founder's intentions were. How did he intend to benefit them? First by educating them in English, improving their condition, and giving them an education that would enable them to go to Trinity. How far did he intend to benefit them? By having them educated in Usher's Catechism. But in carrying out the founder's intentions, you should carry out the more important provisions, and drop the details when they are less important. Which is the more important, that they should be educated and sent to Trinity, or that they should be taught Usher's Catechism? The value of the latter provision is shown by the fact that Usher's Catechism never was taught, so far as I can understand. And in the scheme which embodies the intentions of the Vice-Chancellor, there is no mention of Usher's Catechism, or of the teaching of Hebrew, on which also Erasmus Smith laid a good deal of stress. It has been admitted that you cannot carry out the intentions of Erasmus Smith in full. It is conceded that Erasmus Smith was just as resolute that any boy should be expelled who would not listen to the Scriptures, as he was that the Scriptures should be taught at all. Therefore if you are entitled to abandon one of these by giving a conscience clause, it is the duty of the Commissioners to devise a practical means by which poor Papist scholars may obtain the advantage provided for them. The only practical means is the means suggested by the Catholic head master, either to divide this endowment in some manner that Catholics will have schools exclusively for themselves, and portion of the endowment allotted to them for the maintenance of those schools, or to have a bulk sum in scholarships or prizes which will be open to all. I need only appeal to the evidence of the Vice-Chancellor himself, that the admitted result of this scheme if adopted will be to exclude Catholics in the future as in the past from all participation in the endowment.

7540. Lord Justice FRYGROVE.—It seems perfectly clear that the particular bounty which Erasmus Smith wanted to give was higher or grammar school education. He prescribes Latin, Greek and Hebrew, and nobody is to come in unless he is in a position to begin on the Latin Grammar. Have we evidence that the tenants on the Limerick and Tipperary estates want that education? I can understand your claiming

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the benefit of the endowment for these tenants, provided they are in a position to take advantage of it. He puts it distinctly in the sixth rule that one of the ushers, not even the master is at liberty to teach the children of tenants to read, write, and cast accounts but only so long as the master may judge will not prejudice his other attendance on the grammar school. His great object is grammar school education.

Mr. Bodkin.—Grammar school education for a certain class.

17661. Lord Justice FRYGIMON.—Is there any reason to suppose that grammar school education is wanted for these tenants?

Mr. Bodkin.—Certainly, my lord, in Galway town and in Tipperary it is wanted. If we cannot get exactly what Erasmus Smith wanted we must go as near as we can to it. What claim has the rich Protestant to an endowment that was manifestly, whether for tenants or not, intended for poor people to raise them from poverty to riches, and intended for people who could not otherwise afford a University education.

17662. Professor DOUGHERTY.—When you speak of rich Protestants you don't include Presbyterians.

Mr. Bodkin.—I speak with all respect of Presbyterians, I don't wish to include them.

17663. Dr. TRAILL.—Do rich Protestants send their children to these schools?

Mr. Bodkin.—If they do not I don't see how the large fees can be paid, £40 or £50. But suppose we say that this class are practically extinct, it is reasonable to assume that there are as many people desiring University education among this class now as in his time; but suppose they were extinct what right have other classes to come in and take possession of the endowment? They don't teach Usher's catechism, and they are not of the class it was intended to benefit, as proved by his own document. All the evidence goes to show the schools were intended for Catholics, and were started by the non-attendance of Catholic pupils and the rivalry of other Catholic schools. All we ask in this matter is to go with the spirit of the age, for in construing the spirit of the founder, which is the main thing before us, we must have regard to the spirit of the age.

17664. Dr. TRAILL.—Do you mean the age in which he lived?

Mr. Bodkin.—The age in which he lived and the changes from that day to this, and how they would probably affect his spirit if he lived now. I think all these are fair matters for the consideration of the Commission. If we find that in the age in which Erasmus Smith lived all these provisions for the appointment of Protestant teachers were totally unnecessary, they were a work of supererogation, because the provisions he made were made by the law, and the teachers should be Protestants without his appointing them so. If we find that we will deal with that ordinance of his in a spirit of enlightenment as the legislature has subsequently dealt with it, and we won't go back for our laws about schools to a time when the penal laws existed. This was not in a certain sense a private endowment. The evidence would show that he got those lands on certain conditions.

17665. Lord Justice FRYGIMON.—Where is that evidence?

Mr. Anderson.—He was one of the adventurers, and he got the lands as everybody else did.

17666. Lord Justice FRYGIMON.—I know there was an old adage to the same effect, and we have been looking for evidence, but have not found it. His will negates it, because it appears he had a great deal of property in England, and he had five sons, yet he gave the whole residue of his estate to St. Thomas' Hospital and Christ's Hospital in equal proportions.

Dr. TRAILL.—He appears to have belonged to the Grocers' Company. Those adventurers were in the habit of putting down very large sums of money in aid of the Crown and got these lands in return.

17667. Lord Justice FRYGIMON.—I think we may take it that we have no evidence up to the present

that this was anything except private property of a private individual.

Mr. Bodkin.—We have this, that it was never in his actual possession or enjoyment.

17668. Lord CHANCELLOR.—How does that appear?

Mr. Bodkin.—He never received for his own use any of the rents.

17669. Lord Justice FRYGIMON.—He appears to have been out of possession during the troubles in the country, but he all through speaks of the property as property that was to come into his own hand, or in his own possession. In the early minutes in the Galway school they were not able to get the money to pay the master, and he directs them to pay it out of other sums until they should get the rest. I am impressed with the early dealings with that property as showing that it really was his own. I think when your argument wants a basis in, where every argument ought to have it, in fact, and you have no evidence to sustain you.

Mr. Bodkin.—I was merely using it to strengthen the argument that in considering the founder's intentions we must consider the laws at the time and the changes. It would be hardly the part of the Commission to re-establish a provision for education that would give education to Catholics on conditions harassing to them, although the spirit of the founder was that they should get it on those conditions, still the laws that made it imperative being removed.

17670. Dr. TRAILL.—Would you hold for instance now in a similar case, if an endowment was left by a private individual to a Church Missionary Society to educate Kaffirs, and that was found to be impracticable, that it would be a fair thing to say you were carrying out the intentions of the founder by taking half the funds and giving them to the Kaffirs.

Mr. Bodkin.—I don't think it is an analogous case, here the main intention was education and the main intention, the education of Catholics.

17671. Dr. TRAILL.—The main intention was practicalism plus education. Your argument has been devoted to the questions of educational provision. Have you any observations to make with regard to the constitution of the governing body?

Mr. Bodkin.—It is quite plain I think that the intention of the founder was not to have the constitution exclusively Episcopalian or Presbyterian for this reason, there were ex-officio members appointed in their ex-officio capacity. Then, indeed, those ex-officio members were necessarily Protestants, but the spirit of the age has said that they are no longer necessarily Protestants, and we must take Erasmus Smith as concurring in the enlightenment of the age, because these men continued to hold their appointments although they ceased to be Protestants. And what you are now asked in reference to that matter, as I said before, is to take retrograde steps, to re-establish Protestant intolerance and exclusiveness by the adoption of this scheme, after the legislature has given it to them on the construction of Erasmus Smith's grant, you by giving a narrower construction are to deprive them of that right, and exclude Catholics from the administrative body.

17672. Mr. MANNING.—This is a case in which you are called upon to frame a scheme for the carrying on of an endowment, which is, as I think must be admitted, an entirely private endowment. It is an endowment which came certainly from the private property of a man who was at all events a Protestant, and of course no contention can possibly be put forward that the sixpence of the fund which is under the control of the governors was supplied by, or at any time owed its origin to Roman Catholics.

Mr. Bodkin.—I am afraid it owed its origin before constitution at all events.

Mr. MANNING.—The act requires in such cases two things to be complied with, regard to be had to the constitution of the governing body, and to the educational provisions, and to look to the founder's intentions with respect to those two matters. Now in estimating

that intention we find that for 300 years past this property has been under the control of a corporation, and that corporation owes its origin to the charter of King Charles II., and it naturally would have been supposed that that charter having been obtained during the lifetime of the founder himself, having been obtained upon the man's own petition, the document from which those intentions were to be extracted would be the charter constituting the corporation, which administers the charity. I think, taking that charter, one cannot help being struck by the fact that the management of the charity is committed to thirty-two persons, every one of whom are members of the then Established Church. Having committed the management into their hands it provides for the appointment of successors by co-option. It provides also for their making ordinances, rules, and regulations, expressly enacting that no ordinance, rule, or regulation is to be contrary to the precept of royal or to the ecclesiastical canons, or constitution of the Church of Ireland which shall then be in force. It provides also for the appointment of schoolmasters, subject to the approval of the bishops after these schoolmasters sign the first two canons of the church.

1873. Professor DOUGHERTY.—Mr. Shaw's argument was that this clause was a limitation. It was a command to the bishop to approve the schoolmaster if he submitted the first two articles and was a distinct limitation of the powers of the bishop under the Act of Uniformity.

Mr. Mansell.—There is not anything mandatory in this charter to the Bishop to approve of the person. If the man shall willingly subscribe the first two canons of the church he may then be sent forward to the Bishop for approval. "Every such schoolmaster or usher shall be approved by the Archbishop or Bishop of the diocese wherein they are to live, if they shall willingly subscribe the first two canons." They have a general power of appointing a schoolmaster, provided the schoolmaster be approved of.

1874. Professor DOUGHERTY.—That very clause gave power to Erasmus Smith to appoint schoolmasters.

Mr. Mansell.—During his lifetime, and afterwards to the Corporation itself. Then as to the exemption from visitation, that is rather a common thing in a charter. If a person endows a charity school or anything of that sort under a royal charter the King will be presumed to be a visitor of the school unless the charter otherwise expressly provides, and it is about the commonest thing possible in a charter to give the founder the right of visitation which would otherwise belong to the king, this charter only reserves to Erasmus Smith one of three rights which otherwise he would not have had. There is also a proviso about apprenticing poor children to Protestant masters. Then provisions are made for excluding the children out of a book, which, whatever be its theological aspect, is the work of an Archbishop of the Irish church, and it provides that as being the document of instruction. Well, now, looking at the charter alone we would come necessarily to the conclusion, if there was no other evidence in the case, that the intention of the founder was as regards the constitution of the governing body to put it under the control of the Irish Church.

1875. Professor DOUGHERTY.—Have you any evidence to prove that Archbishop Usher's catechism which is a purely unconfessional document was ever recognised by the Irish Church as an authorized exposition of its doctrines and principles?

Mr. Mansell.—No, we have no such evidence; I suppose it was.

1876. Professor DOUGHERTY.—Was not the church catechism, as it exists at present, in existence, and in use at the time that Erasmus Smith chose Archbishop Usher's catechism as the instrument for the religious education of the boys in his schools?

Mr. Mansell.—It was, but the Bishops of the church, some of whom were the founder's co-petitioners in this case, and formed portion of his corporation, agreed to adopting Usher's catechism, showing plainly

that in the tenets of the Irish Church as they then prevailed there was no antagonism to the theological propositions put forward, if there are any peculiar theological propositions in Archbishop Usher's catechism. I understand from Professor Stokes that there is nothing antagonistic to that catechism to the ordinary belief of the Irish Church. But looking at the thing as it stands upon the charter, which is the document forming the Corporation, you must come to the conclusion that the founder's intentions were that the governing body should be Irish Church people, and that the spirit of his intentions was to keep the matter under their control. Having regard to the fact that this was a charter obtained by the founder during his lifetime, that he lived for many years after the charter was obtained, that it was given to him upon his own petition, and his own asking, it is a strong thing to say that what is plain upon the charter itself is not the man's intentions at all. Because they say we must go back upon a deed to find out his real intentions, not to the charter which he got, and which was really the operative document, but to an old deed which was prepared and executed many years before, we have no evidence it was ever acted upon, and which bears date in the year 1657. Now, the evidence upon which you are asked to come to the opinion that the man's intentions were antagonistic to what was contained in the charter, rests upon a few expressions in this deed, in which he refers to the catechism of the Assembly of Divines. Now what were the circumstances prevailing at the time when the man executed the deed? My learned friends have argued this case entirely upon the supposition that when the man executed the deed he was a staunch Presbyterian, and when he came to get the charter he was coerced by the King into taking a charter which was exceedingly distasteful to him.

1877. Professor DOUGHERTY.—Hardly that, but which was the best he could get under the circumstances.

Mr. Mansell.—Am I not entitled to put exactly the reverse proposition, to say that this man got the charter in the time of King Charles II., that he instituted his corporation under that charter, and that that corporation has worked for 300 years under that charter. Can I not say just as well that that charter really represents the man's ultimate and enfolded intentions with regard to his charity, and that the deed so far as it contains any departures from the charter was simply an instrument brought about by the necessities of the time in which that deed was executed. It recites that the donor intended to apply to his Highness the Lord Protector Cromwell to give him a charter. Suppose he did apply for such a charter of course he would have got a very different document to this, there would have been no bishop a trustee, there would have been no reference to Archbishop Usher's catechism. But when the man executed this deed he did it under the regime of the Commonwealth, when the Commonwealth had the control of affairs in Ireland, when the liturgy of the Anglican church was put down in every way it possibly could be put down, and he did, as I would submit, by this deed do the very best thing he could at that time.

1878. Professor DOUGHERTY.—But if this deed had not been in accordance with his own ideas and wishes he was under no obligation to devote this property to charitable uses.

Mr. Mansell.—Neither was he under any obligation to take that charter, that deed was not an irrevocable dedication to charitable uses, because under that deed the right of re-entry had, when he took the charter, actually accrued to him. If he brought an action in the courts, saying "give me back my property, the Corporation I intended under that deed has come to nothing, give me back my property," there could have been no defence to it.

1879. Dr. TRAILL.—He did as a matter of fact get it back, these are not the same trustees that are in the charter.

Mr. Mansell.—Several of the trustees are the same

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five, I think; the man who was afterwards Chief Baron was one.

1780. Professor DOUGHERTY.—There seems to be some evidence that between the date of the original indenture and that of the charter Erasmus Smith was in danger of losing all the lands, and had in fact lost some, and therefore it was a case either of losing these lands or accepting the charter.

Mr. MANNING.—You will remember that Ireland was in a very disturbed condition at the time. He was a London alderman, and he might not have found his position quite as satisfactory as it was before, but at the same time there is not any evidence to show that this charter which he took was forced on him in any way.

1781. Rev. Dr. MOLLOY.—Do you contend that your scheme is precisely conformable to the intentions which Erasmus Smith had at the time he accepted that charter?

Mr. MANNING.—According to the main lines of his intentions.

1782. Rev. Dr. MOLLOY.—I find in section five you put into the scheme the condition that no one can be elected to fill a vacancy on the Board unless he be "a member of the Church of Ireland." Erasmus Smith put in no limitation of that kind.

Mr. MANNING.—No.

1783. Rev. Dr. MOLLOY.—If he wished to restrict the Board of Governors in the way you propose to restrict them, can you offer any probable reason why he did not put that into the charter.

Mr. MANNING.—All his trustees there are Church of Ireland people.

1784. Rev. Dr. MOLLOY.—And all your trustees are "Church of Ireland" people.

Mr. MANNING.—The only way people not connected with the Church of Ireland came into it was by reason of the offices, which qualified ex-officio trustees being thrown open to persons of other religions.

1785. Rev. Dr. MOLLOY.—Why do you go further than Erasmus Smith? You are not content with nominating all your governors members of the "Church of Ireland," but you put in a provision that in filling vacant places, they can elect those only who are "members of the Church of Ireland?"

Mr. MANNING.—It is only to make more evident what we regard as Erasmus Smith's intentions.

1786. Rev. Dr. MOLLOY.—If it was his intention would he not have put it into the charter. Was he less anxious about enforcing his own intentions than you are?

Mr. MANNING.—I suppose it never occurred to him that anybody else would ever be a trustee.

1787. Dr. TRAILL.—I suppose if all parties were agreeable to make the members of the governing body all members of the Church of Ireland, would you give them powers to co-opt anybody they liked?

Mr. MANNING.—I think it would be better to have it more definite, we say that it was the man's intention as we can interpret it from his charter, that these parties should be members of the Church of Ireland. We say, now, when we have to settle a scheme that it is better to leave no doubt or question upon the points. The conditions have been entirely altered, it never occurred to him that the Lord Chancellor or the Chief Justice of the Common Pleas, or the Chief Baron would have been members of a denomination other than the Irish Church.

1788. Rev. Dr. MOLLOY.—If they were so anxious to restrict the governing body to members of the "Church of Ireland," might they not have contemplated the possibility of some change afterwards being made by which these offices would be opened to persons of other denominations?

Mr. MANNING.—No, I don't think they ever contemplated that, it was not until many years after that they were opened. And as to one of the offices that was opened—namely, the office of Lord Mayor of Dublin, the very Act, the Municipal Corporations Act, which threw open the office, expressly excepted out of

the jurisdiction of the Lord Mayor the office of being a member of Erasmus Smith's board.

1789. Dr. TRAILL.—The Lord Mayor of Dublin is not mentioned in the original charter?

Mr. MANNING.—No, it is in the subsequent Act when they came to take in the Biscuit Hospital. If we have to interpret this man's intentions we must interpret them according to the charter which was his ultimate Act, and under which he got the incorporation and vesting of the estate. We cannot for the purpose of displacing the evidence of his intention afforded by the charter, go back to a deed, as to which there is no evidence it was ever acted upon, which was executed at a period when the religious and social condition of Ireland was disturbed, and was exactly the reverse of what it was when he got the charter. The religious condition of Ireland at the date of the deed can simply be described as chaos. It appears, to use the words of that very eminent divine and historian, Scoughdon, that Cromwell's establishment did not include or recognize any independent organization whatever of an ecclesiastical kind, it had no church courts, no church assemblies, no church laws, no church ordinances, it repudiated priestly with out enforcing Presbyterianism or recognizing Congregationalism. Scoughdon says one parish might be constituted a Presbyterian church, another an Independent church, and a third a Baptist church, but such church was independent of the parish incumbent, often in the case of the Congregational church the members met together in private houses. That was the condition that prevailed when he executed this deed. Supposing him to be the most devoted Episcopalian that ever lived, he could not have his schools when he executed that deed under episcopal control, because Cromwell had suppressed the bishops. If he had been attached exclusively to the Church of Ireland he could not have made any provision for keeping the schools under that particular religious denomination. It would simply have been out of his power to do so. Cromwell would not have given him the charter for such a purpose, it would not have been tolerated at all, therefore I submit that so far as the deed is to be taken in any way to contradict the charter, whether there is a conflict of intention between them, the charter must prevail, and not the deed. That disposes of the question as to selecting governors free members of the Church of Ireland. Now, my friend, Mr. Bellin, has relied very strongly on the fact that the schools were mainly intended as a school for the education of poor Catholics. The original schools were schools founded in Galway, Tipperary, and Drogheda. It was the policy certainly at the time, both of the charter and of the deed, to make those towns Protestant towns. Tipperary had been peopled with Protestants by Cromwell, Galway likewise for five miles inland had been Protestant as fully as it could. Drogheda had been wrested by Cromwell certainly in a missionary spirit. Therefore Erasmus Smith's intention mainly was to give educational benefits to the tenants, and to the people who lived within a certain distance of the schools, and he must have supposed that having regard to the circumstances which had occurred in his own day, a very large number of those people were Protestants, and that further appears from the strong terms of the letter he wrote in 1681. It appears that about 1680, the schoolmaster in Galway imagined that it was his exclusive intention to admit to the educational advantages of the schools only Protestants. That, of course, was immediately rejected by Erasmus Smith, and he follows it up by his letter of 1683, in which he says that he in no wise intends to abandon the religious restrictions he made, but that the schools are open to Roman Catholics if they will come under his particular method of religious instruction. I would refer you to this, that both in the rules of Erasmus Smith, and in the charter, liberty is given to the schoolmaster to receive the children of others, that is other than the particularly enumerated people, that have a mind

to send them for the like education to any of these schools paying to the head master 2s. for entrance, and for the schooling such reasonable rates as shall be agreed upon. The money payments for education is clearly contemplated by the charter, the charter allows money payments in all cases, except in the case of the pauper children, and in the case of the twenty poor scholars for each school. I don't think I have anything further to add.

Mr. Anderson.—Would you just allow me to mention with reference to the position of Erasmus Smith, he was clearly one of the adventurers, and he was recognised as such in the Act of Settlement, section 16.

"You are farther to apprise each adventurer, soldier, and other persons who are in possession of the estate of the Earl of Clancarty, as also to satisfy Erasmus Smith his deficiency as an adventurer in some convenient forfeited land in the county Leath, that he may be better enabled and encouraged to sever those parts most of incorporating five free schools within our said kingdom, which he has petitioned us so to do."

Mr. J. H. Nunn.—I appear for Trinity College, just to state that while they provide for the payment of exhibitions under clause 50, they don't make any provision for any other endowments.

The sitting then adjourned.

May 18, 1886.

Mr. Minnall

THURSDAY, MAY 20TH, 1886.

At the Office, 23, Nassau-street.

Present.—Right Hon. the Lord Chancellor and the Right Hon. Lord Justice Fitzgerald, Judicial Commissioners; and Rev. Gerald Molloy, D.D., D.Sc., F.R.U.I., Anthony Trellis, Esq., LL.D., M.D., F.R.C.D., and Professor Dougherty, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

May 22, 1886.

THE INCORPORATED SOCIETY.

The Incorporated Society.

Mr. E. F. Seelye, Q.C. (instructed by Messrs. H. F. Din and Son) appeared for the Incorporated Society.

Messrs. E. P. Corcoran, Q.C., and M. McD. Budkin (instructed by Messrs. F. B. Dillon and Co.) appeared for the Association of Catholic Head Masters.

Dr. Webb, Q.C. (instructed by Messrs. Crenshaw and Tobin) appeared for the Wesleyan Methodists.

1750. Mr. Corcoran.—I appear for the Association of Catholic Head Masters, to put forward the claims of the Catholics of Ireland to share in the endowments of the Incorporated Society. I do not think in arriving at a conclusion the Commission will be fettered by the earlier provisions of the 13th section to the same extent as in the case of Erasmus Smith's schools, because the foundation of the Incorporated Society was a Royal Charter. No doubt to a certain extent the spirit of the founder is to be taken into account in respect of some of the property of the Incorporated Society, because, as I understand, portions of the property consisted of private endowments that were left from time to time by individuals. Of course wherever we find any special destination given in the will, as far as possible the intention expressed in the will should be carried out, but where as we find in the vast majority of these private endowments that the endowment is simply given to the Incorporated Society for the purpose of the schools of the Incorporated Society, I apprehend there that the fund is set free from this claim about the founder's intention because a person who gives to the Incorporated Society cannot be looked upon or dealt with in the same way as if he was the founder of the charity. But there is a clause in section 13 which is most material—

"Provided always that where the founder of any educational endowment has expressly provided for the education of children belonging to the poorer classes, either generally or of a particular class, or within a particular area or otherwise for their benefit, such endowment for such education or otherwise for their benefit, shall continue so far as regards to be applied for the benefit of such children."

Now, the Incorporated Society were founded by a Charter of George II. The date of the charter is 24th October, 1733: and the charter appears to have been granted in pursuance of a memorial or petition that was presented by the Lord Primate, Lord Chancellor, archbishops, noblemen, bishops, judges, gentry, and clergy of the Kingdom of Ireland. And that memorial shows plainly what was the object, first of all in asking

for the charter, and secondly the object of the charter itself. It shows—

"That in many parts of this kingdom there are great tracts of mountain and coarse land of ten, twenty, and thirty miles in length, and of considerable breadth, almost entirely inhabited by Papists, and that in most parts of the same, and more especially in the parishes of Leitrim, Monaghan, and Connaught, the Papists far exceed the Protestants of all denominations in number. That the generality of the Papist natives appear to have very little sense or knowledge of religion, but what they implicitly take from their clergy, to whose guidance in such matters they seem wholly to give themselves up, and thereby are kept not only in gross ignorance, but also in great disaffection to your sacred Majesty and Government, scarcely any of them appearing to have been willing to shew the Pretender to your Majesty's throne. So that if some effectual method be not made use of to instruct these great numbers of people in the principles of true religion and loyalty, there is little prospect but that superstition and idolatry, and disaffection to your Majesty and to your Royal posterity, will from generation to generation be propagated amongst them."

Then it goes on to say—

"That amongst the ways proper to be taken for converting and civilizing these poor deluded persons, and bringing them, through the blessing of God, in time to be good Christians and faithful subjects, one of the most necessary, and without which all others are likely to prove ineffectual, has always been found to be that of a sufficient number of English Protestant schools being erected and established, wherein the children of the Irish natives might be instructed in the English tongue, and the fundamental principles of true religion, to both of which they are generally great strangers."

And then it proceeds to ask that power should be given for the formation of these schools. Then comes the charter, it recites in exactly the same terms as the preamble in the petition, the existence of these tracts of mountain and coarse land, almost entirely inhabited by Papists. It repeats that the majority of these Papist natives appear to have very little sense or knowledge of religion. That the most effectual means has always been thought to be the erecting and estab-

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lishing a sufficient number of English Protestant schools, wherein the children of the Irish natives may be instructed in the English tongue, and the fundamental principles of true religion.

"To the intent, therefore, that the children of the Popish and other poor natives of the said Kingdom of Ireland may be instructed in the English tongue, and in the principles of true religion and loyalty in all succeeding generations. And to the end, that so good a design may be more celerity and effectually carried on."

The society is then incorporated. The first Commissioners are set out in the charter, and then incorporated by the name of the "Incorporated Society in Dublin for promoting English Protestant Schools in Ireland." The charter gives to the society full power and authority to nominate and appoint fit and proper persons to be approved and licensed by the archbishop and bishops of the kingdom, to teach the children of the Popish and other poor natives of our said kingdom the English tongue, and to teach them to read, especially the Holy Scriptures, and other good and pious books, and to instruct them in the principles of the Protestant religion established in our said kingdom, and to teach them to write, and to instruct them in arithmetic, and such other parts of learning as to the said society shall seem meet, and to bring them up in virtue and industry, and to cause them to be instructed in husbandry and housewifery, or in trades or manufactures, or in such like manual occupations, as the said society shall think proper. And they are to provide out of their fund, bibles, prayer-books, and all other proper books. The only other portion of the charter to which I think it is material to refer is this: "We further grant to the said society full power and authority, at any of their quarterly meetings, in time coming, to elect and assume into their number and society, such subscribers or benefactors to their fund, being Protestants, as they shall judge fit and qualified to assist in carrying on the design aforesaid, which persons so from time to time elected, shall be deemed and taken to be members, and part of the said society and corporation, as if herein particularly named as such." Now this charter was established for the express purpose of teaching the Popish natives, and the avowed object of the charter was that these Papists, who were to be so taught, were to be converted into Protestants, they were to be instructed in the principles of the Protestant religion established in the kingdom. There is a second charter granted by George III., on the 16th January, 1793, but the provisions of that seem to be immaterial, it was simply granting extended powers of holding property, and also of granting leases. Now it would appear that resolutions were passed in the year 1793, to confine the admission into these schools to Roman Catholics, and for the first time Protestants were admitted to the Incorporated Schools in the year 1803. From 1828 these schools ceased to be schools for Catholics at all, and from being schools which they were originally intended to be, schools in which Catholics were to be turned into Protestants, in other words proselytizing schools, they became schools for the education, almost exclusively, of members of the then Established Church. So that the entire spirit of the former has been completely departed from, and necessarily has been departed from, having regard to the change in the times, and having regard to the fact that these schools would not be frequented by the class for whom they were originally intended. It would be rather late in the day, in this latter end of the nineteenth century, to ask the Commission to carry out the intention of that charter, and to perpetuate these schools as proselytizing schools. In the first place it could not be done, as a matter of fact. And secondly, even if it could be done, as a matter of practical effect, this Commission would not sanction it. And therefore we are here dealing with an endowment confusedly given for a purpose which has wholly failed, and must wholly fail, and therefore I submit it comes exactly within the proviso at the end of the 13th section, an

endowment provided for the education of poor Catholic children, expressly provided for the education of children belonging to the poorer classes, either generally or of a particular class, or within a particular area, or otherwise for their benefit, such endowments for such education, or otherwise for their benefit, shall, as far as requisite, be continued to be applied for the benefit of such children. Here you find the endowment provided for the education of a particular class, the Popish children of the poorer class, and therefore you are bound to see that the endowment shall continue, as far as requisite, to be applied for the benefit of these children. That is an observation that applies generally to the original endowments of the Incorporated Society.

1791. Lord Justice Fitzgerald.—With reference to the Incorporated Society itself, what is your view as to the object of creating this body? As I understand they had no endowment of a State character at all, until some time after the incorporation. They had certain property vested in particular trustees. I do not find any reference in the original charter to receiving public benefactions of any kind, or making them a State institution, as they practically became after a while. If a body is incorporated to receive private benefactions in order to avoid the necessity of appointing new trustees and other difficulties, as we, on this Act of Parliament, deal in any different way with the benefactions they hold, than if they were held under separate trustees?

Mr. Curzon.—In this case so far as the private endowments are concerned the founder's intentions can only be got from the particular instrument, deed, or will creating the trust.

1792. Lord Justice Fitzgerald.—Quite so, and you say it makes no difference in interpreting his intentions that he gives the property to a body incorporated to receive such benefactions?

Mr. Curzon.—Certainly not; and my argument is this, wherever you find the deed or instrument creating private endowments, simply giving it to the Incorporated Society, for the purpose of the Incorporated Society's Schools, that then comes in my argument, the object of the Incorporated Society being for the education of poorer Catholic children, it should now be applied perhaps partially for it.

1793. Lord Justice Fitzgerald.—I have always thought that would be the real question; if money is given for the purpose of conferring anything that the donor regards as a benefit upon a certain class of the people, and if the benefit in the way he proposes becomes impossible, then necessarily arises the question, whether the primary objects are the persons or the benefit. I may refer to the *Pere* will for example. The bequest is to the Incorporated Society for promoting English Protestant Schools in Ireland according to the tenor of the charter lately granted for the conversion of the children of the poor natives of the Roman persuasion to the Protestant religion, and educating them therein. Now, if this was a legacy given to the Society for the conversion of the Jews, and the Jews declined to be converted, whether would the proper application of the money be to endow a synagogue, or to give the money to a congregation of Christians that assembled in the place.

Mr. Curzon.—I don't think that is a fair way of putting it, because what you are doing is this, you have now got the fund of the Incorporated Society practically in your hands to deal with it as best you can, according to all the circumstances of the case.

1794. Lord Justice Fitzgerald.—Certainly, but not to do what we might think best if it was *our* own, we must deal with it according to the Act of Parliament, which requires us to have regard to the spirit of the founder's intentions.

Mr. Curzon.—Yes, but you are in a different position with regard to the funds of the Incorporated Society than what the Court of Chancery would be in dealing with this legacy, because they would not have the same directions, they simply would have to deal

with the legacy as best they could if the Jews would not take it.

1795. Lord Justice Fitzgerald.—The moment the object failed I admit that we must look about for the nearest object to the spirit of the founder. The nearest object in this particular instance, what is to be done with a fund that is given for benefiting certain classes of people in a particular way when those people decline to be benefited in that particular way, and it so becomes impossible?

Mr. Corison.—It seems to me that if the work of the Incorporated Society, as originally established by charter, has failed altogether, that all the bequests to the Incorporated Society as such, and for the purposes of the Society have also failed. Then, having failed altogether, they become an endowment to be worked out by this Commission, having regard, first, to the spirit of founder's intentions, and secondly, having regard to the fact that it was an endowment provided for the poorer classes, and for a particular class of the poorer classes, and that it ought to be applied for the benefit of the poorer classes of that particular class. Now, by way of illustration, I just run through a few of these particular endowments. We will take the Bessborough estate. After providing for the payment of certain sums to the master at Athlone, it proceeds:—

"That the said Incorporated Society in Dublin, for promoting English Protestant schools in Ireland, should, by and out of the remainder of the yearly rents, issues, and profits of the said lands, tenements, hereditaments, and premises, and by and out of the avails of rents, fees, and sums of money thereby vested in the said Incorporated Society, build one or more good and sufficient houses or houses in or near the said town of Athlone, and one or more good and sufficient houses or houses in or near the said town of Roscommon, with proper and convenient yards, out-houses, gardens, and enclosures to the said several houses for the reception, maintenance, and education of so many poor Protestant boys and girls, if such can be conveniently had, as the clear remaining income of the said estate, manor, town, lands, tenements, hereditaments, and premises will properly maintain and support, under such rules and regulations as the said Incorporated Society shall direct and appoint."

1796. Lord Justice Fitzgerald.—How do you apply your argument to the Bessborough?

Mr. Corison.—I was just going to say that my argument does not apply to the Bessborough, because the express object of the bequest is for poor Protestants, boys and girls. Catholics have no right to claim it and don't claim it. Now, come to the Pococke estate. By the will the testator left the residue of his estate—

"In trust for founding a school for Papist boys from twelve to sixteen years old who shall become Protestants, and to be bred to linen weaving and instructed in the principles of the Protestant religion. Said boys not have been in any school before, or any public legal foundation, and in particular none of the charter schools. To be apprenticed to the society after they were fourteen years old for seven years. If any other religion should be established than the present Protestant religion, be left the whole for such time to St. Patrick's Hospital in Dublin, for education, under the direction of the Archbishop of Dublin for the time being, to revert to the society whenever it should be re-established for the purposes above mentioned."

My argument does apply to that, because the trust there has wholly failed, they cannot get twelve Papist boys who shall become Protestants, and in addition be bred to the linen weaving, and they don't pretend it, and the Pococke estate is devoted at present, as far as I am gathered, to maintaining an essentially Protestant school. Now the Maud's trust is next. There is a trust to pay £14 a year to the Incorporated Society towards the support of a school at Cahel, or of any other school in the diocese, at the discretion of the society—

"The Dean of Cahel and Rector of St. John Baptist, Cahel, to be entitled to see the said yearly sum of £14 expended in Scriptural education in said diocese, and the said society should use their own discretion as to the way in which the said sum was to be applied."

I don't think I could claim that, because that £14 is expressly dedicated to the promotion of Scriptural education, and that is a matter that still can be carried out, and, therefore, the trust has not failed. Now, take Anne Gorman's bequest, that was—

"In trust after payment of legacies and annuities, that the society should apply the rents and income of her residuary property in support of the charter school founded by Bishop Pococke, at Lisdown, near Killybeg, and then at Brownstown, under the name of the Pococke Institution."

1797. Lord Justice Fitzgerald.—Anne Gorman's bequest is in 1845. In looking to such a bequest as Anne Gorman's, should we not be bound to look to what the school of Bishop Pococke was in 1845. She appears to have been a local lady who gave this money, and at that time it was one of the strictest Protestant schools possible to be conceived. That respects on the whole question which we must decide one way or the other—what is the essence, and what is the accident with regard to this original foundation? If the essence is to instruct a certain class of people who at the time occupy the position of the poorer inhabitants of the country, then the money must go to them, and be applied to such as education as they will now receive. If on the other hand, the dominant object was to instruct those poorer inhabitants in a particular religion, and that the testator intended, as indeed Bishop Pococke said, that the money should rather go in another direction altogether than be diverted from the propagation of Protestantism, the question then would arise whether we cannot still apply it according to his wishes. I quite agree with you that if Protestantism was extinct we would be obliged to apply it in another way. But if there are poor Protestants available we must see whether they do not more nearly approach to the objects of the testator's intentions than poor Catholics, who won't become Protestants. And there is this to be said about this society that it is the one large endowment in Ireland, that on every occasion on which it has been investigated has been reported to be well managed. I mean efficiently managed for the purpose of teaching poor people, and we know ourselves the number of distinguished men it has produced by this promotion system in their schools.

Mr. Corison.—That is the very reason we are anxious to have a share of the endowment. So much good has been done to poor Protestants by this endowment, I would be anxious that the Catholics should have a share. Anne Gorman's bequest given in 1845, to a particular school, if the school as then existing was an exclusively Protestant school, as I have no doubt it was, that would stand in a different position altogether to the Pococke estate. Take the next one Ramesse, county Antrim, the trust is—

"For the use of a school to be erected, and for ever afterwards maintained and supported on the premises by the Society for teaching and instructing children of the Papist and other poor natives of Ireland, to speak, read, and write the English language and character, and for introducing them in the principles of the Protestant religion established in this Kingdom, and in the knowledge of husbandry and gardening, and such trades and manufactures as the society should think proper."

That is exactly following the words of the charter. The grant in fee is dated 20th March, 1735, which is two years subsequent to the date of the charter, and the trust exactly follows on the lines of the charter, and therefore that comes within the argument I have addressed. Now, Nicholson's Bequest is a wholly different thing, because there is an express provision which can be carried out. "To take care that all the children of the school should receive sound Scriptural education, and according to the principles of the United Church of England and Ireland." Therefore the trust does not fail, and we could not claim any share of that. Ormsby Bequest is next. Will of Adam Ormsby, dated 16th April, 1735. I have not seen that.

1798. We have had it, it is a small endowment, it

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was to the charity school in Sligo, and the evidence appears to be that the charity school in Sligo was some school connected with the Church.

Mr. Carter.—The next is Farns, and that seems to me to be also in my argument, because it is a bequest to the Incorporated Society, according to the tenor of the charter. Then there is £500 to the Bishop of Clogher. I don't know how this £500 got into the hands of the Incorporated Society.

1769. Lord Justice FRYGROVE.—It was given in 1728, before the charter, and was afterwards vested in them.

Mr. Carter.—It was a bequest of £500 for an orphanage.

Lord CHANCELLOR.—It was vested in the society by the deed of 28th September, 1811.

1760. Lord Justice FRYGROVE.—The Colbridge institution was founded by the Connolly family, one of whom was the Speaker of the House of Commons, there was an original bequest by certain trustees to an older Connolly, and a subsequent Connolly gave a further endowment to be partly under the management of his own representatives, and partly public, and then they gave the whole thing to the Incorporated Society with a number of trusts as regarded the admitting of children; it is now the one institution, except Roscommon, where girls get a training.

Mr. Carter.—I need not weary the Commission by going through all these in detail, but my argument is that any endowment given for the purpose of carrying out the purposes of the original charter, falls within the scope of my argument, and the Catholics are entitled to share. Anything given expressly for a charitable purpose, or given to a particular school which had been founded by the Incorporated Society, although not founded according to their charter, or where the intention of the founder has been expressed in his deed, or his will, and can still be carried out there, Catholics have no right, and can make no claim to share.

1761. Lord Justice FRYGROVE.—What do you say to the case of Clonmel. Dawson gave a bequest to the Society after their incorporation, calling it a Society "for educating poor children in the Protestant religion, and for the teaching of them useful trades, to purchase ground near Clonmel for a charity school." The trust was, according to the charter, "to maintain an English Protestant School according to their charter."

Mr. Carter.—That is a trust that had failed.

1762. Lord Justice FRYGROVE.—What would you say if a man had made a bequest not to the Incorporated Society, but to anybody else to maintain an English Protestant school on the premises; don't the adding of the words "according to their charter," and giving it to a body that was formed for promoting Protestant schools make it come to be available?

Mr. Carter.—Yes, to promote Protestant schools in a particular way, taking Catholic children and making them Protestants. I would not for a moment claim it if it was for promoting Protestant schools, but if you look to the charter you find the persons to be educated there are not Protestants but Catholics.

1763. Professor DOUGHERTY.—Were Protestants excluded from these schools at that time.

Mr. Carter.—They were. There was a resolution passed in 1775, that none but Roman Catholics should be admitted; under the original charter they were not excluded because they would come in under the head of poor natives of whom it would appear from the charter there were very few at the time.

1764. Lord CHANCELLOR.—In reading that 13th section might it not be said that the earlier portion directs that regard is to be had to the spirit of the founder's intention, and it might be said the later portion does not interfere with the earlier portion, but is giving still further effect to the earlier portion, in providing that although you may take away a portion of the endowment from the intentions of the founder, yet you are prevented within certain limits from

taking it away where persons of the poorer class were objects of the testator's bounty.

Mr. Carter.—I don't think there is any great difference between the two. But if from the altered circumstances of the time and country you cannot give effect to the founder's intentions, then you wipe out for practical purposes the opening part of the 13th section; but you still have to be guided by the concluding portion of it, and when you find an educational endowment for a particular class, I submit you are bound to apply that endowment.

1765. Lord CHANCELLOR.—Could it not be said that if the result of giving effect to the latter portion and wiping out the former, would be to completely subvert the founder's intentions, you should not wipe out the earlier portion.

1766. Lord Justice FRYGROVE.—That brings us back to the old question if they are not capable of being carried out in full effect, these being Protestants of such a class as these endowments are beneficial for, whether they, or the Roman Catholics desiring to conform to the conditions of the gift, were nearly approach the original intention.

Mr. Carter.—I submit the Catholics more nearly approach the original intention, and for this reason that the founder here never intended Protestants should be educated in these schools at all, they were established for the express purpose of educating Catholics.

1767. Lord Justice FRYGROVE.—Well, suppose this country had turned Protestant as England did, or Scotland did, what should we do with this money?

Mr. Carter.—You would do with it then what I am asking you to do with it now, and that is, having regard to the altered circumstances of the time, treat it fairly for the purpose of education amongst all classes of the community.

1768. Lord Justice FRYGROVE.—And they would all be Protestants on the assumption, and therefore not being able to distribute it amongst all classes, does it not come back to the question that we must distribute it irrespective of the founder's intention or treat the religion as essential, and give the benefit to the class that answers the intentions.

Mr. Carter.—I am asking you to treat it irrespective of religion, and asking you not to allow an endowment provided for the benefit of Catholics, no doubt with a particular motive, which cannot now be carried into effect, to allow an endowment which was in the face of the charter provided almost exclusively for Catholics, to be diverted to the use of Protestants who were not the object of the charter at all. It has been stated there is not now any public grant; that is so, but it must not be forgotten that all the buildings throughout the country have to a great extent been erected by the aid of the public grant.

1769. Lord Justice FRYGROVE.—Have you any evidence of that, because the history of these schools was very peculiar; they had nothing to do with the Government in the first instance and they got in the first instance only a power of receiving private benefactions. Then they seem to have been taken up. I suppose because they maintained their schools so well, and it was the spirit of the time. They were taken up as a sort of agent through which the Government grant was distributed, and they got Government money for the support of primary schools for a long time, and in large amounts. But all the large schools they have now, they have identified under particular wills. The Colbridge one was built under the Connolly bequest, the Poochke school under Bishop Poochke's, and the Pinarose Gange under Nicholson's.

Mr. Carter.—But still indirectly the Government grant went to build these schools, because if they had not got the Government grant they would have been obliged to spend a larger portion of their own money.

1770. Lord Justice FRYGROVE.—They did not spend the Government grant, as I understand the evidence, on those schools, most of which existed previously,

they spent it on the charter schools, all of which are discontinued except two or three. They purposed on the occasion of giving evidence to identify every one of these schools, I thought, with one or two exceptions, I doubt if there were so many, of the day schools, with specific legends.

Lord CHANCELLOR.—There is one of the endowments which does appear to have been of public origin, it is a great mark by the Corporation of Waterford.

7611. Lord Justice FRÉGINOS.—Woodstown died from the mayor, sheriff, and citizens of the county of the city of Waterford to the society. That was a lease, at a nominal rent, of 26 acres, a peppercorn rent, 1st July, 1743.

Mr. CARTON.—“To encourage Protestant schools.”

7612. Lord Justice FRÉGINOS.—And there was a school built on it.

Mr. CARTON.—If that was a school built on the particular bequest my argument would fail. On these grounds I submit that the case of the Catholics to share in this endowment seems to me rather stronger in the case of the Incorporated Society's schools than in the case of the Erasmus Smith schools, because, as I said before, the charter was expressly granted for the purpose of educating the poorer Catholics of this country. And although the motive which dictated the making of the charter and the granting of the charter was that they might be made into Protestants, inasmuch as that is a matter which has utterly failed and become impracticable and opposed to the spirit of the age; I submit that, in dealing with this endowment, you will have regard to the particular classes which the spirit of the founder was intended to benefit, and where the directions of the charter are incapable of being carried out you are unfettered in your discretion.

7613. Lord CHANCELLOR.—I took upon that 13th section as framed with a view of ensuring that the spirit of the founder's intentions should be observed, and the endowing portion fixes the minimum, that is to say, that you cannot depart from the founder's intentions where the effect of it would be to interfere with the closing part of this 13th section. But I think when you say that the founder's intentions cannot be carried out at all, then the difficulty is, on the concluding portion of the 13th section be applied at all to the case.

Mr. CARTON.—I think the section is more than that. I may refer you to the marginal note of the section, “Interests of particular classes to be kept in view.” That is that the section is so much directed to keeping the interests of particular classes in view as to carrying out the founder's intentions. I submit where it cannot be carried out, that is where it cannot be carried out in the particular way in which the founder intended it to be carried out, but where you find that he had in view the benefiting of a particular class that there you will benefit that particular class, although you do not benefit it in the precise way the founder intended.

7614. Lord CHANCELLOR.—If some pious Protestant left a private fund for a particular purpose it would seem a great diversion of the original intention. There is a particular case where a pious Catholic left money for the education of priests, and Lord Eldon diverted the fund for the purpose of educating Protestant ministers.

Mr. CARTON.—Well, there are the grounds on which I submit the Catholics of Ireland are entitled to a share of this endowment.

7615. Rev. Dr. MOLLOY.—One endowment of this society, the Pococke bequest, as I understand, is absolutely restricted by the terms of the founder's will to the children of Catholics, and is now exclusively applied to the children of Protestants.

Mr. CARTON.—And also to the children of Catholics who are bred to linen weaving.

Mr. BOWEN.—And to the Protestant religion.

7616. Rev. Dr. MOLLOY.—Mr. CARTON, have you any proposal to lay before us on the part of the Catholic head masters as to the way in which you desire that these

endowments, or any portion of them, should be applied for the purpose of the education of Catholics?

Mr. CARTON.—I have not.

Rev. Dr. MOLLOY.—Subsequently, perhaps, you might be able to tell us.

7617. Dr. WELLS.—I appear for the Methodist body, and I will submit that it is a question whether the charter was not drawn up in sufficiently elastic terms to benefit any religious community which subsequently came into existence. But the Commissioners have decided, I think, that every religious body has a *sees* staff, in order to show what the wishes of that religious denomination is with regard to the re-organisation and reconstruction of these trusts. What the Methodists object to is the dedication of this endowment to the Church of Ireland, to the exclusion of every other religious denomination. You have already decided that this endowment does come within your jurisdiction, and that there is no denomination which can be regarded as having an exclusive interest in the endowment, the destination of which you will now have to determine. Now, I do not think that I could more clearly show what were the original objects of the founders of this charity, and what were the sources from which the endowment was derived, than by a brief reference which Mr. Francis gives in his “History of the English in Ireland,” 1st vol., p. 370. He says—

“The Catholics, with the same steady courage and unflinching zeal with which they had maintained and multiplied the number of their priests, had established open schools in places like Killybeg, where the law was a dead letter. In the more accessible counties, where open defiance was dangerous, they transported classes under raised walls, or in the dry ditches by the roadside, where ragged children, in the midst of their poverty, learned English and the elements of arithmetic, and soon to read and construe Ovid and Virgil.”

I was not aware that that was the true origin of hedge schools. It goes on then to say that the clergy and gentry of Ireland being ashamed, and alarmed into execution, took the matter into their own hands. And at p. 372 he says—

“There was means left to recover the lost ground.”

And citing there their petition—

“That a sufficient number of English Protestant schools be erected and established wherever the children of the Irish natives might be instructed in the English tongue and the fundamental principles of true religion.”

The clergy, it was said, had done their best, but they were powerless to cope with so great a difficulty; and then it goes on with this important intimation of what the real intention was—

“To the intent therefore that the youth of this Kingdom may generally be brought up in the principles of true religion and loyalty in all succeeding generations.”

The Crown was requested to grant a charter. There, in the very inception of the thing, the benefit intended was not for any religious denomination, but for the whole youth of Ireland. He then goes on to say that—

“The English interests were so much arrayed against Irish interests in all these matters that Walpole took three years to consider whether the gentlemen of Ireland should be allowed not to be encouraged to educate their peasantry, or whether in the charter the English Government required the endowment to be restricted to £5,000 a year, and that was the origin of these charter schools. The object was briefly described in 1733 by the Bishop of Elphin, in a sermon before the society. English Protestant working schools were established for English and National interests, from whence little colonies instructed in religion and learned to labour from their tender years might be sent out to cultivate the barren and neglected parts of the Kingdom, and raise a spirit of industry and activity in the nation.”

The sources, as Mr. Francis shows, from which these schools were endowed were threefold. There was £3,000 a year by this private endowment to the charter schools—the King was supposed to grant £1,000 a year.

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Dr. Webb, &c.

7518. Professor DOUGHERTY.—You are aware of course, Dr. Webb, that they got altogether about £750,000 from the King and Parliament.

Dr. Webb.—I am coming to that, sir. In addition to the £2,000 a year secured by private endowment to the charter schools, the king granted out of his hereditary revenue, which he regarded as his own property, an additional £1,000 a year. And then at page 573 it gives an account of the whole of the endowment.

"The Irish gentlemen meanwhile were not deterred by the collision of the English Government, the statutory revenue continued to be squandered, the Dublin Parliament raised funds out of fresh taxes, and raised their own grants to the society to five, six, and six thousand a year."

And at page 561, 2nd vol., you will find that they actually raised it to £20,000 a year.

"Peers and gentlemen established schools on their own estates which were affiliated to the central Corporation. Archbishop Beiler came forward in practical liberality and built and endowed a school in Dublin almost at his own expense. More than £30,000 was collected in England by private subscriptions, other sums were sent from the American colonies, the bishops of the church began a few years to congratulate themselves that the talisman which was to dissolve the spell of Papal domination had been at last discovered. So vigorous and effective had become the society by the middle of the century that Parliament appropriated a special branch of the revenue, the annual proceeds of hawkers' and peddlars' licenses—to the support of the schools and granted on them an effective statute for the repression of Irish beggary."

It appears then that the sources of this endowment were threefold—First there were the resources derived from the State itself.

7519. Lord Justice FITZGERALD.—What endowment, you say "sources of this endowment?"

Dr. Webb.—If the Irish Parliament appropriated the taxes on the hawkers and on the pedlars.

7520. Lord Justice FITZGERALD.—If there is any part of this endowment that we have to deal with which in any way represents this public money, I, for one, would be prepared to treat it on entirely different grounds, because I don't think we ought to consider past intentions of the founder where the founder is the State, and the State has altered its mind by Act of Parliament. But I think it is proved that no public money is included in any endowment now held by the society.

Dr. Webb.—All that Mr. Carton contends for is that the Roman Catholics are entitled to participate in the benefits of the endowment, I don't think he can contend that they alone—

Mr. Carton.—"Poor natives," they were the main object.

7521. Rev. Dr. MOLLOY.—The children of Popish parents and other poor natives.

Dr. Webb.—Then it does seem to me that my learned friend is confronted with this great difficulty, how far were the children of Roman Catholics the object of this bounty, merely in one respect. The primary object was to convert them into Protestants, and if this endowment is now to be modified with as my learned friend contends the object will be not to convert Catholic children into Protestants but to educate them as Catholics; which I would submit was an absolute contravention of the original design of the founders, a contravention of that which was their primary design, that is the maintenance of national interests in the way in which national were considered as a matter of high policy to be maintained, that is in favour of the Protestant constitution. Now with regard to these private endowments. The only qualification in the original charter that was required of the Governors was that they were to be Protestants. There is no qualification requiring them to be Protestants of the Church of Ireland, there was no qualification which excluded a Presbyterian, there was no qualification which excluded any person who in any sense of the term could be regarded as a Protestant. And the great objection

which those that I represent have to the scheme which is now before you is this, that the scheme which was originally founded for the purpose of promoting English Protestant schools—and in which all Protestants participated, and from which no one who was a Protestant was excluded, and of which every Protestant who was qualified might become a governor—is now narrowed to that particular section of the Protestant church which is confined exclusively to Protestants of the Church of Ireland. Now, I say nothing at all of the objects that were propounded either by the charter, or by the Acts of Parliament, or by the contemporaneous usage which confined these endowments, or the power of relegating them to Protestants of the Church of Ireland, of the then Established Church. Now, I don't know whether your attention has been directed to it, but there is one case in which there is a very important reading upon the question of the will of a founder, and how far the will of a founder is to be ascertained. It is the celebrated case of the Attorney-General v. Drummond, 1st Drury and Warren. Sir Edward Sugden, on page 372, says:—

"The will of the founder is to be observed, and then how is the will of the founder to be ascertained. If it is expressed clearly in a deed or instrument of foundation there can be no difficulty. If expressed in doubtful or general words resources must be had to extraneous circumstances such as the known opinions of the founder, the existing state of the law, the contemporaneous usage or the like."

That rule of Sir Edward Sugden's was laid down and acted upon, he said, by Lord Lyndhurst in the case of Lady Hewley's charities, but there is one point he says was very much discussed in the course of the argument in the House of Lords. The Attorney-General in that case argued before the House of Lords that a great part of the evidence which had been admitted with respect to the private opinions and belief of Lady Hewley ought to be excluded, or if admitted ought not to be acted upon. Now the rules on which Sir Edward Sugden acted in this case of the Attorney-General v. Drummond is the rule on which I submit you ought to act in the present case.

7522. Dr. TRAILL.—You take it that we should interpret the word Protestant now as it was then held?

Dr. Webb.—If the word "Protestant" at that time was sufficiently wide to include every Protestant whether he was an Episcopalian, a Presbyterian, or Independent.

7523. Dr. TRAILL.—Is it your contention that we should use the word Protestant now according to whatever interpretation it held at that day?

7524. Lord Justice FITZGERALD.—If our decision was that "Protestant" included Protestants of all denominations, I would go with you, but here is what was said in our judgment:—"I think there can be little doubt of the meaning of the entire charter, it went to establish throughout Ireland, and more especially in the parts of the country where the Roman Catholic population preponderated, a system of schools supported by private benefactors, under the government of a body intended to be exclusively Protestant." There can be no question, I think, that "Protestant" in this charter was restricted to Protestants of the Established Church, it contains an express definition in one place, and there is nothing to contradict that elsewhere. If you go with Mr. Carton that it is open to all the youth of Ireland, including the Roman Catholics, you stand or fall with him, but if you are limiting it to Protestants, and if the charter itself defines Protestants to be Church Protestants, I cannot see how a certain set of people who were good churchmen then, and to a certain extent are very good churchmen still, but who separated themselves from the church after the charter, can claim anything more than this, to which I think you are clearly entitled, that the system of education in the schools shall not be such as to exclude them unless their own tenets are inconsistent with what the charter originally intended, which they are not. If you choose to *forte* facilitate yourselves for other reasons, how can we keep you in

the church to give you the church endowment, if you choose to go out of the church for other purposes? Dr. Webb.—I was not aware that you decided that "Protestant" had that meaning.

1625. Lord Justice FRYGUESON.—We did so on the construction of this charter, we had to decide the same question in different ways on different instruments before us. For instance, in the case of Plesant's Agrarian, we decided that by "real Protestants" and "sound Protestants," the testator meant churchmen, whereas in other charters we held Protestants of all denominations were included. We ruled this society to be within the Act of Parliament, because the benefits of the endowment were not restricted exclusively to any one denomination, nor were the existing governors all of one denomination.

Dr. Webb.—That decision would be perfectly in accordance with the rule laid down in the Attorney-General v. Drummond. That is one of the most important cases that could be cited upon the point. The remarkable thing in that is that it may throw some light on what occurred yesterday with regard to Erasmus Smith's schools. Lord St. Leonards in that case refused to not upon the opinions of the founders, and he would not upon what they had done, their course of conduct, but not on the mere fact that the founder entertained certain opinions of his own.

1626. Lord CHANCELLOR.—In the House of Lords the Unitarians were compelled to give up any share in this endowment, upon the ground that the founders were originally Presbyterian, the actual legal decision was one excluding them.

Dr. Webb.—They did it there on the contemporary English usage and the documents, and although evidence of opinion was given, the evidence of opinion was not the *ratio decidendi*. Lord St. Leonards considers the opinions of the general body, not the private opinions of any particular individual, that is what he discusses there.

1627. Lord CHANCELLOR.—Did not Lord St. Leonards allow the usage that had sprung up?

Dr. Webb.—No, he determined by that point particularly, independently, and adversely to the Unitarians. Now, I take it for granted that in a scheme like this, the great object of which at all events was Protestant, however you may constitute the governing body, every Protestant in the community has an interest in the scheme, which will be ultimately justified by you and the Privy Council. I submit on behalf of the Methodist Body, that no person, whatsoever, however the governing body may be constituted, should be excluded from the benefit of these schools by reason of their religion, and a fortiori that no Protestant should be excluded from the benefit of this endowment, I mean from attending these schools by reason of his not being comprised in the Church of Ireland. Further than that I don't think I can carry the question.

Mr. Staley, Q.C.—In this case I appear on behalf of the Incorporated Society, and having listened to the arguments put forward by my friends Mr. Carton and Mr. Webb, and I really cannot think they are serious, especially my friend, Mr. Carton, in contending that if your lordships and the Commission set on the 15th section of the Act of Parliament under which you are now sitting, and are bound to carry out the intentions of the founder, you can hand over any portion whatsoever of these endowments, all being private endowments, to the Catholics of Ireland. The argument of my learned friend, Mr. Carton, has proceeded on this basis, and this assumption, that the founder's intentions cannot be carried out, and there at once I join issue with him. He assumes that the founder's intentions cannot be carried out, and he proposes to administer these endowments, not according to the spirit of the founder, but according to what he is pleased to call the spirit of the age. The spirit of the founder can be ascertained here—not by ambiguous or doubtful evidence, but by the documents which are in evidence here, by the original charter, and these other

instruments of endowment. And this is a case in which according to the well settled law of the land—the law that is incorporated in these regulations—the founder's intentions must be followed as strictly as they can, and if not they must be followed *as near*. The original founder's intentions are first shown in that very memorial read by Mr. Carton. The persons who memorialised for the purpose of obtaining a charter were not seeking any public grant at all, but they were seeking to be put in a position to receive subscriptions and hold property for the purpose of establishing English Protestant schools. They were the Lord Primate, the Lord Chancellor, the nobility and clergy, and from the terms of the document evidently most uncompromising Protestants; and not merely uncompromising Protestants, but Protestants of the then Established Church. And their idea was that in order to make people what they considered good Christians, better Christians, and in order to make them more loyal, encouragement should be given to English Protestant schools, and English Protestant schools of a particular class. We know that previous to this an attempt had been made to extend to Ireland the provisions of the Acts of Henry VIII. and Elizabeth, in reference to parish schools. And by that Act—the Act 7th William III., cap. 4, sec. 19, each beneficed clergyman was bound to have a parish school in every parish, for the purpose of teaching everybody the English language, and the Protestant religion. That was to a certain extent a failure, and it was because it was found that these parish schools were failures, that it was thought necessary to have a sufficient provision for a number of English Protestant schools. A number of people in Leicester, Munster, and Connaught were apparently Irish speaking at the time, and it was considered advantageous that they should learn the English tongue, and the Protestant religion. And the intent is here stated in the memorial. Amongst the ways proper to be taken for converting, and so forth, these people into faithful subjects and good Christians, one of the most necessary, and without which all others were likely to prove ineffectual has always been thought to be that a sufficient number of English Protestant schools be erected and established, wherein the children of the Irish natives might be instructed in the English tongue, and the fundamental principles of true religion. These are the two ends they had chiefly in view; the English tongue to commence with, and secondly the principles of true religion, to both of which they say they are generally great strangers. Here we have the intent actually stated in so many words. "To the intent therefore that the youth of this kingdom may generally be brought up in the principles of true religion and loyalty in all succeeding generations." Then they apply for a grant of a charter. That is the intent: that the youth may be brought up in the principles of the true religion according to their notions of the day; and that they may be bred up as members of the then Established Church in Ireland; and the whole tenor of the charter is to the same effect. The charter that follows the memorial recites all that, and recites the advantage of establishing a sufficient number of English Protestant schools, wherein the children of the Irish natives may be instructed in the English tongue, and the principles of true religion. It is the Irish natives, not necessarily the natives of the Roman Catholic religion, but the poor classes, the poor natives, whether they be Roman Catholics or not, who should be instructed in the English tongue and in true religion. When we come to the operative part of the charter it incorporates this society under the name of "The Incorporated Society in Dublin for Promoting English Protestant Schools in Ireland," and can it be seriously argued at this time of day that a body so constituted are to be considered as if their main object was to promote English schools? They were to be capable of taking lands, and manors of a certain value, and the Commission knew already all those pro-

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Mr. Staley, Q.C.

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Mr. Bewley,
&c.

vidians, essentially connected with the then established religion, that the masters were to be approved and licensed by the Archbishop or Bishops of the kingdom; and they were to teach the children of the Popish and other poor natives of our said kingdom, the English tongue, and teach them to read especially the Holy Scriptures. The argument of Mr. Carton has proceeded apparently as if all these other words, "and other poor natives" were left out. Suppose it was a gift by will to the poor natives of Mayo, Sligo, or Galway, and the natives of Mayo would not take advantage of that, could it be said that so long as the education was carried on for the benefit of those in Sligo and Galway, the founder's intentions were not being carried out. The founder's intentions embraced not merely the children of Roman Catholics or Papists, as they were then called, but of other poor natives.

7628. Rev. Dr. MOLLOY.—Do you observe that that argument will not apply to all the other endowments with which you are dealing?

Mr. Bewley.—I am confining myself at present to the charter.

7629. Rev. Dr. MOLLOY.—Because there is the Poochoo endowment which is confined to the children of Roman Catholic parents.

Mr. Bewley.—I know that, and I think the legal members of the Commission will state that, according to well known principles, if the bishop of the then Established Church gave property for the purpose of education, any court before whom the question arose if it failed to carry out the purposes exactly stated in the will would have regard to what his intentions were, and the mere fact of his being a bishop of the late established church would be sufficient to ensure that it could not be diverted to another church.

7630. Rev. Dr. MOLLOY.—I was only referring to the particular point of the argument you were advancing.

Mr. Bewley.—Yes; the first place where we find anything stated about the founder's intentions is the charter, which is the intention of the parties applying for it, and that shows an intention to benefit not merely Roman Catholics but other poor natives of our kingdom. Now, on this question of founder's intentions Dr. Webb has referred to the case of the Attorney-General v. Drummond, and the case principally relied on there is a still better known case of *Shore v. Wilson*, commonly known as *Lady Hewley's Charity*, where as my friend knows, it was assumed that a gift for poor and godly preachers could not have been intended for the Established Church of England. *Shore v. Wilson*, 9 Clarke and Fennelly, page 353. That was also a question between Unitarian and Trinitarian Dissenters, and Lady Hewley had given large bequests for the support of poor and godly preachers. The question arose as to whether that might entitle Unitarians. I cite a passage of the united judgments of Baron Alderson and Mr. Justice Patteson, who were called in by the Lords, at page 383—

"There is no doubt as to the principles which are to govern our opinion, they are fully laid down and explained in the Attorney-General v. Foxon, and may be thus shortly expressed. 'The will of the founder is to be ascertained. And then how is the will of the founder to be ascertained. If it be expressed clearly in a deed or instrument of foundation there can be no difficulty. If expressed in doubtful or general words, recourse must be had to extrinsic circumstances, such as the known opinions of the founder, the existing state of the law, the contemporaneous usage or the like.'"

And also, on page 389, Lord Lyndhurst says—

"I entirely agree to the principles stated by the learned judges upon which this case must be decided. In every case of charity, whether the object of the charity be directed to religious purposes, or to purposes purely civil, it is the duty of the court to give effect to the intention of the founder provided this can be done without infringing any known rule of law. It is a principle that is uniformly acted upon in the course of equity. If, as they have stated, the terms of the deed and foundation be clear and

precise in language, and clear and precise in application, the course of the court is free from difficulty. If on the other hand, the terms which are made use of are obscure, doubtful or equivocal either in themselves or in the application of them, it then becomes the duty, and it is the duty of the court to ascertain by evidence as well as it is able what was the intention of the founder of the charity."

That, of course, is the law: if the terms of the instrument of foundation are clear, *certum est*. I say so far as the charter is concerned, and this deed, the intention is clear. But in one or two cases if any question arose you would look to see who was the donor, who was the founder, and if, as in the case Dr. Molloy referred to, he was a bishop of the Established Church giving his own property for the benefit of education, you are bound in law, under the 13th section, to have regard to what his intentions were if they can be carried out *ex jure*. I cite 10th Irish Chancery Reports, page 271, *Re Evans' Charity*, in the judgment of the Lord Chancellor:—

"As to the doctrine of *ex jure*, it is a doctrine merely for effectuating the intention according to which, when it is once ascertained that the object of the gift is charity, but that the particular mode in which the testator intended to carry it out fails from any cause, the court will not permit the benevolent intention of the testator to be defeated, but will apply the fund to some other charitable object selected with a careful regard to the intention of the testator and approaching as nearly as possible to what appears to have been his wish."

Therefore, applying that for a moment to the Bishop Poochoo's case, if, as is admitted that cannot be carried out now in the way he sought to carry it out, and if it cannot be carried out by a purely Protestant institution, you see what was his intention, and if the learned judges who are here now were presiding in the Court of Chancery and settling a scheme under Bishop Poochoo's will they would be bound to give that money to an exclusively Church of Ireland foundation. Now, my learned friend, Mr. Carton, as Dr. Molloy noticed, has not stated to the Commission what he thinks ought to be done in reference to these endowments so far as Catholics are concerned. He appears to have some general and indefinite notion that it is to get a share of what is going; but in this case, above all cases that have come before the Commission, there is no difficulty in carrying out at all the founder's intentions, if we are to take them in detail. The Ranelagh foundation, I understand, is abandoned by Mr. Carton. The Poochoo estate in the same way, although by the terms of the will it was a trust for founding a school for Papist boys who should become Protestants, was not for Papist boys alone, but for that particular class of Papist boys who shall become Protestants; and the pious bishop, I am sure, would turn in his grave if he heard the suggestion that the accumulation of his money which he had devoted for the purpose of the manufacture of additional Protestants, should be devoted for the education of a number of persons whom he no doubt would consider of as heretical religion.

7631. Dr. TRAILL.—Does it say if they were to become Protestants before admission or after they were in the school?

Mr. Bewley.—They were to commence from the beginning and to be instructed in the principles of the Protestant religion.

7632. Dr. TRAILL.—Were they not Protestant boys the moment they came into the institution?

Mr. Bewley.—They must be, they must conform at any rate.

7633. Dr. TRAILL.—Before the instruction at all, is it, "who shall become Protestants?"

Mr. Bewley.—It was only intended for those who were willing to become Protestants.

7634. Dr. TRAILL.—It does not say "willing" at all.

Mr. Bewley.—No, they should make up their mind before they entered the institution as to whether they

were prepared to become, to all intents and purposes, Protestants. No serious question can be raised on that. And the same way in reference to Maude's trust and German's bequest. Then the Ransom trust, there is no pretence that those cannot be carried out as far as the other poor natives are concerned, and if one class will not come in and be instructed in the principles of the Protestant religion, which at present, so far as I am aware, is not an illegal provision in any instrument, that does not cease the foundation to fail. It is a foundation for the benefit of the other persons who will avail themselves of the provisions. In the same way in Nicholson's bequest, no question arose on that, and it cannot be claimed either by my friend Dr. Webb or Mr. Carter. It is exclusively confined to persons who are to be educated in the principles of the United Church of Ireland and England. The only question that might possibly arise would be on Woodtown which is a trifling thing, the profits are inconsiderable. But still you will recollect that at that time the Mayor, Sheriff, and citizens of Waterford were all unanimously Protestants, and we all know at that time the Corporation unfortunately had complete powers of disposition over their property, and it was quite within their powers to make a grant for any purpose, either to make a grant to a private individual or for any charitable purpose, and it was allowed by law. They made this lease to encourage Protestant schools, which necessarily meant to encourage Protestant schools according to the then Established Church, therefore, that being the intention of the founders it cannot be departed from now.

7635. Lord Justice FRYGROVE.—That is a question on which I confess I have some doubt. Take first the case of a public endowment by the State, there the principle must be that the founder is a continuing person and must be regarded as still alive, and, therefore, if the State by statute alters the provisions the intentions must alter with it, and the endowment, although limited and restricted at one time, when the law changes, becomes unrestricted and open. In the case of a private founder, the real object is always to observe or try to observe what were his intentions, for it is the law that every man is at liberty to do with his own as he wishes, and also there is a great powerful argument that if you alter, even in the case of a long departed founder, the provisions he made himself, you will deter other founders from giving anything. But then as to corporate endowments, a corporation is a trustee, and they were trustees even in the last century, but they were trustees who then had power to devote their property to purposes to which they could not devote it to now; for no alteration has taken place in the law. Can we consider that we are bound now, in the case of a Corporation that were trustees, to give effect to intentions lawful at the time, but which the statute has prevented them from giving effect to now?

Mr. Bealey.—Certainly, my lord, and for this reason, of course I am not arguing the general question of State grants, but this question in the way it occurs.

7636. Lord Justice FRYGROVE.—There is a small one in the Erasmus Smith schools, the Ardara case.

Mr. Bealey.—The way it occurs to me that you are bound to act in this: if the corporation had disposed of this property in favour of A. B., it could not be touched by any power of the realm.

7637. Lord Justice FRYGROVE.—Because they had given it to a private person and private property prevails.

Mr. Bealey.—They could make ducks and drakes of the property if they liked; they were liable to be hauled over the coals by the ratepayers, but the ratepayers could not prevent them as a corporate body disposing of their property. But they disposed of their property in this case for a legal purpose, which purpose remains a legal purpose still, and has not in any way failed. The discouragement of Protestant schools has not failed. Suppose this was before your lordship in the Court of Chancery appeal, on the

settlement of a scheme in reference to this particular charity that only concerns one particular school in the city of Waterford, would your lordship consider it was a case of *cy pres* at all.

7638. Lord Justice FRYGROVE.—It is in that point of view my difficulty arises. This corporation had property and, suppose they, as many corporations did, in England at least, had kept it in their own hands, and had made a regulation in 1743, that no children should be admitted to the school, except the children of the Protestant freemen of the town, if the property was now available, and was held under that trust, a legal trust, when declared, is it one that we would be bound to give or could give legal effect to now?

Mr. Bealey.—Certainly, because I understand that the corporation in that case that your lordship put, as in this case, had parted with their interest to a particular body, for a particular trust.

7639. Lord Justice FRYGROVE.—They, being a body who themselves were the creatures of statute, had declared a particular trust that was in accordance with the law at that time, the law is altered, in the case of an incorporated body, such as that, are we to apply the principle that is applicable to a State grant, or are we to apply the principle that is applicable to a private grant?

Mr. Bealey.—The principle that is applicable to a private grant, because it is to all intents and purposes a private foundation, it is gone from them as if they made it to a private person.

7640. Lord Justice FRYGROVE.—Is it? There is another illustration in the old trades' guilds. In the Municipal Reform Act, there was a period of two years given to all mercantile corporations to do what they pleased with their property, provided they put it to pious and charitable uses. These guilds by their constitutions were exclusively Protestant, no man could be a member unless he was a Protestant, and they duly disposed of their property, which always included a picture of King William, to different charitable institutions, some of which we have under our Commission. In that case there was a disposition of private property, because the funds came from the contributions of the members themselves, but in this case don't the corporations represent the ratepayers?

Mr. Bealey.—They represent a local body, and at that time the persons who constituted the corporation could dispose of the property, whether the ratepayers liked it or not, and they did in this case dispose of the property, and then it is, and it is gone from them, and they never can get it back. It is gone for a good and charitable purpose. I can understand your lordship putting the argument in this way, suppose they had given it for the purpose of converting Catholics, a proselytising school, so that it had failed, so that when your lordship had to consider whether you were to carry it out *cy pres*, or not, the question might arise, but here the trust is an existing trust.

7641. Lord Justice FRYGROVE.—Who are the founders of the endowment?

Mr. Bealey.—The ratepayers will be the then Corporation.

7642. Lord Justice FRYGROVE.—The mayor, sheriff, and citizens of the county of the city of Waterford, and they are a continuing body, still in existence.

7643. Lord CHANCELLOR.—It was then founded by a then public body, a public property for a public purpose.

Mr. Bealey.—It is not State property, it is local property.

7644. Lord CHANCELLOR.—Of a public nature.

Mr. Bealey.—They were entitled to dispose of it, just in the same way as if any grant were made by a corporation entitled to make a grant for a perfectly legitimate purpose for a trust which is still subsisting. If it came before the Court of Chancery to appoint trustees or frame a new scheme would the Court of Chancery say, "We will not carry this out at all, but will consider the spirit of the age, and come to the conclusion that if the Corporation

May 26, 1886.

Mr. Bealey.
Q.C.

May 26, 1861.

Mr. Bewley,
Q.C.

of Waterford were now consulted, and had power to make it they would not make the grant.

1645. Lord Justice Fitzgerald.—The law then was, that no one could be a schoolmaster or lawfully keep a school who was not a Protestant. That being the law, those who represented, according to the then law, the citizens, and who alone were capable of representing them, they also being under the same disability as regards religion, declare "we will establish a school according to law and keep it to ourselves." If the law changes, are we not bound in settling a scheme subsequently for that endowment to have regard to the changes of the law?

Mr. Bewley.—I think not.

1646. Lord Justice Fitzgerald.—Let me put the converse case. Suppose at a time when the law treated all parties as equal, the mayor, sheriff, and citizens of Waterford founded a school, and the law was afterwards changed, and excluded any aliens, if we came to settle a scheme afterwards should we not have to exclude them?

Mr. Bewley.—Your lordship will be bound by the law.

1647. Lord Justice Fitzgerald.—Then must not the converse be true?

Mr. Bewley.—There is a great difference between a permissive law, and a coercive law. Here is a subsidising trust just as if it had been founded by a private founder. Your lordship will not touch that, even though you may consider that in the particular locality it would be to more advantage to have it opened to all denominations.

1648. Lord Justice Fitzgerald.—I can understand your argument that the Incorporated Society has a vested interest, but if the real meaning of this thing was that the corporation of Waterford having corporate property, took advantage of the existence of the Incorporated Society, created by law to receive benefactions, to make them trustees of a portion of public property for the purpose of a school, the difficulty I have is in seeing how we can treat it differently from that school being vested in the mayor, sheriff, and citizens, and if it was so would we not be bound to open the school as the law has opened the definition of mayor, sheriff, and citizens?

Mr. Bewley.—I think not, and I think under the 13th sec. and the concluding portion, you are bound to restrict this; if there was a particular school in the locality, I believe there is not, you would be bound to have regard not merely to the founder's intentions, but where he expressed his intentions to be for a particular class.

1649. Dr. TRAILL.—How much money was given in this case?

Rev. Dr. MOLLOY.—I think 232 a year.

Rev. Mr. HACKETT.—Yes, I think it is.

1650. Dr. TRAILL.—Do they pay it still?

Rev. Mr. HACKETT.—Oh, yes, it is received annually by our agent.

1651. Lord Justice Fitzgerald.—It is a lease of twenty-six acres of ground at a peppercorn rent, lands somewhere near Waterford, and according to my recollection it is let for about £60, and that is applied to the general purposes of the society.

1652. Dr. TRAILL.—That money is not now paid out of the rates.

1653. Lord Justice Fitzgerald.—It is corporate land, just as the land in Grafton-street is the property of the Corporation.

Mr. Bewley.—I venture to submit that you are bound in the terms of that section to consider the class for whom it was intended, and carry it out accordingly; that only arises in that one particular case.

1654. Lord Justice Fitzgerald.—The whole point is whether a corporation of that kind who are trustees of property are founders who can have intentions other than the intentions which the law attributes to them from time to time; that is entirely apart from the question of how far your society or a private individual may have a vested right.

Mr. Bewley.—That is the view I insist upon that your lordships in framing schemes under this Act, which in many respects is a most beneficial Act, will not set aside vested rights, and when a trust is created your lordships will not interfere with that trust when it is capable of being carried out.

1655. Lord Justice Fitzgerald.—Can a trustee have vested rights of a beneficial kind?

Mr. Bewley.—Otherwise charities cannot have vested rights at all. The object of the statute was not to set everything at large, it has been amended perhaps sometimes, and I think it has been amended by my friends, Mr. Curran and Dr. Webb, that the effect of this Act is that all charitable endowments are to be brought into a kind of hotchpotch, and all persons are to scramble for them. I do not mean to say that Mr. Curran would like to put it in so many words. I am not sure that he would be inclined to put his own endowments into the hotchpotch. I do not think it necessary to go into any of the private bequests, but I would refer you to the very important case of the *Minister Free Schools* reported first in 2nd De Gex and Jones, page 435, and reported afterwards in the House of Lords, 8th House of Lords case, under the name of *Beber v. Le*, page 464. I cite it for the general principles laid down in all the judgments of the judges. And this I cite on this question as to the constitution of the governing body that according to the authorities in this case, and other cases, if I once establish to the satisfaction of your lordships, that all those trusts were essentially Church of Ireland institutions, the trustees ought necessarily to be all members of the Church of Ireland.

Dr. Webb.—Perhaps my learned friend will forgive me if I direct attention to the commanding clause of the charter of George II., and to the subsequent clause of the charter, where it says "the Papists for ever the Protestants of all denominations in number," and in the other it says "that in most parts of the kingdom, and more especially in the provinces of Leinster, Munster, and Connaught, the Papists for ever the Protestants of all denominations in number," so that the word "Protestant" was evidently used in a far more comprehensive form.

1656. Rev. Dr. MOLLOY.—I have noticed these two passages before, and I have considered as far as my judgment goes, that the word "Protestant" in the charter was used in the wider sense. But at page 11, at the top, it is expressly provided that the object of this charter is to establish schools in which children are to be instructed "in the principles of the Protestant religion established in our said kingdom." From these words, it is clear that the religious principles to be taught in the schools were the principles of a particular Protestant denomination.

Dr. Webb.—Undoubtedly; but look at page 17, where the qualification for election to the governing body is given:—

"We further grant to the said society full power and authority as way of their quarterly meetings in time coming to elect and name into their number and society such scholars or benefactors to their fund being Protestants."

Now although it is quite possible that the government of an institution in which the Protestant religion is established by the endowment, that any Protestant should be admissible into the governing body if the words are wide enough.

1657. Lord Justice Fitzgerald.—We considered those two cases in which "Protestants of other denominations" are mentioned, they are mentioned in connection with the Roman Catholic natives as being objects of the endowment, but all the machinery of it is connected with the church; all the bishops are put into it.

Mr. Bewley.—It was one of the intended trusts that all the children were to be instructed in the principles of the Protestant religion established in our kingdom, and they were to be supplied with Bibles and books of common prayer. The governing body at the time were all necessarily members of the Established

Church. For these reasons I submit that neither the Roman Catholics nor the Nonconformists have any claim to this endowment, and that your lordships will proceed to the scheme we have proposed.

7458. Rev. Dr. Motter.—Have you considered how far it would be possible to extend the endowment under the 15th section. I find several of the endowments are specifically restricted to boys, and several of these are open in their application to boys and girls.

Mr. Buxley.—As it stands at present, we have at Cambridge a boarding school for girls, and we have also in Roanoke a boarding school for girls; amongst the day schools there is one at Colchester, and one at Newport for girls.

7459. Rev. Dr. Motter.—We have had the evidence of a great number of ladies, that they consider education more necessary for girls than for boys.

7460. Dr. Traill.—There was a complaint that one school at Durdak was entirely changed from being a girls' school into a boys' school.

Mr. Buxley.—Perhaps it was found it did not succeed as a girls' school.

7461. Rev. Dr. Motter.—If you look at the terms of the scheme it says,

"In framing schemes provision shall be made, so far as can be equitably arranged and as the circumstances of each particular locality require, for extending to both sexes the benefit of the endowment."

Mr. Buxley.—That, I think, is to a certain degree qualified by section 13, which is imperative that the intention of the founder are to be carried out, and if it should appear that the founder intended it for boys, I do not think you could apply it for girls. I think as the schools stand at present there is very fair provision made for girls, and it is better these institutions should be separate.

7462. Mr. Bodkin.—We start, it appears to me, in this discussion with the admission that this is an educational endowment, and in that way I distinguish it from charities that have been described as analogous, charities for the conversion of the Jews. We start with the assumption that it is an educational endowment, and one not restricted to any particular sect. Arguing from that decision the first question that arises is this: being an educational endowment, for whom was the advantage intended, and what was intended to be taught? Now, that really reduced us to the controversy which, as Lord Justice FitzGibbon says, is the matter in discussion here, what is the essential intention of the founder in reference to this educational endowment? It cannot be denied for one moment that there are two things included in the intention as expressed by the position in the first instance, and secondly by the charter under which this society was founded; education is intended in the first instance, and plus education undoubtedly proselytism is intended. Proselytism as it is admitted on all sides became impossible, and what we are asking you to do is to take the essential part—education, and what I think I will show you afterwards is the further essential, the persons for whom the education was intended, and drop the proselytism as being contrary to the spirit of the age, and a matter that if so disposed you could not carry into effect. What Mr. Curzon and I ask you on behalf of the head masters is to take the first intention—education, and take the main intention—the persons for whom the education was intended; give that effect, and then drop the unessential accident of proselytism, and you carry out the founder's intention in the matter. In the first place it appears to me that the matter of proselytism cannot, and ought not—whether it was essential or not in the old times—be protected by the Commission sitting here in the nineteenth century, under the instructions they have got. The main intention as expressed by the petition we Catholics can, and do, say, in its very terms applies to us, and you can, without departing one iota from the intention, interpreted by the light of the present century, you can hand this over to Catholic schools, "wherein the children of

the Irish natives may be instructed in the English tongue." We have no objection to that. "Wherein furthermore they may be instructed in the fundamental principles of true religion." We have no objection to that. Then it says the schools are to be established for this purpose. In the discussion of this question it must never be forgotten that at that time there was a true religion by law established. The law then declared what the true religion was in Ireland, and it is no longer declared it. If we read both the charter and the deed, we will find the main intention was not at all concerned with the tenets of the Established Church. Its peculiar tenets and doctrines were not the reason it was selected. It was selected because it was the Established Church, because it was supposed to be an instrument in making children loyal subjects, relieving them from the errors of Popery, which were then erroneously considered to be equal to the errors of idolatry, and making them loyal subjects. You are certainly to discount his intentions, if you find they are influenced by the erroneous belief that Catholicism was equivalent to idolatry, and inconsistent with loyalty. You will find all through here that it is the principles of the Established Church the children are to be taught. Now there is no Established Church, and the reason I say this is not that we cannot identify that Church in its permutations having become disestablished, I am prepared to contend here that it was the Established Church they were to be taught its tenets. When it ceased to be the Established Church, and the sole instrument for inculcating loyalty and preserving from idolatry, as then considered, it is no longer necessary that its doctrines should be taught to carry out the intentions of the founder. All this argument is addressed to this one point, that the main intention of the founders were to preserve the Popish children from idolatry, as it was then erroneously supposed the Catholic religion was. A great many disrespectful phrases were used, the generality of the Popish natives, it says, appeared to have little sense or knowledge of religion; it was to preserve them from that condition of things.

"But what they implicitly take from their clergy, to whose guidance in such matters they seem wholly to give themselves up, and thereby are kept not only in gross ignorance, but also in great dissimulation to our person and government."

If the founder had an insane delusion that the guidance of their clergy kept the Catholics in gross ignorance and dissimulation to his Majesty's person, then that intention is not to prevail now when the delusion has disappeared. He selects the Established Church for special favour in the endowment, because it was the Established Church, and when it ceased to be the Established Church by law, it ceased to have that exclusive claim. We have a strong point under the 15th section, for the reasons suggested by the Lord Chancellor in the questions to Mr. Curzon. That section seems to me to give the Commissioners enormous assistance in resolving what Lord Justice FitzGibbon considers the crucial question, whether the proselytism or the education of this class was the main object. The proselytism is admittedly impossible, the Commission can give them the benefit of the education, and this section seems to me a direction to the Commission that in considering the main intention of the founder they shall always take, if possible, as one of the main intentions, in no case to be disregarded, the class of persons for whom the benefit was intended. This was the body of my argument yesterday to the Commissioners. I did intend to read this section to them, but it is so necessary. It was embodied in an express enactment that the main object to be considered in regulating their endowment is the main object of the testator's bounty. They are in no case to disturb that. And we have it here that poor Popish children are the objects of the bounty, using the words not in a legal but in a larger sense, are the objects of bounty for whom this benefit was intended. You can find no other class or persons. It is useless to contend that it was intended for members of other religions, bringing in other classes

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was the general saving clause, with which the Commissioners are familiar. The poor natives are the Popish poor natives, it was intended to give them an education in the English tongue, and the fundamental principles of true religion. And that is all we ask, that it should now be given. The other matters were mere accidents, that appertained to the age, and have disappeared with the age. You are asked by the other side—having already decided this is an endowment not for the exclusive advantage of a particular sect, to make it for the exclusive benefit of a particular sect. You are asked to re-enact the penal laws, and to say it is necessary in order to protect the Popish children from idolatry, that they should be educated in the Dissenters' Church; that their gross ignorance must result from the teaching of their clergy, and you are asked to establish this doctrine by taking this to be the main intention of the founder. If you once admit this is accidental, the main intention remains education, and

the persons for whom it was intended. We ask you to decide first that this was an educational endowment, secondly that it was intended for a particular class, and thirdly that the other matters with reference to proselytism are matters that have become obsolete or impossible by the progress of the age, and therefore cannot be regarded by the Commission. We ask you to give effect to the 13th section, which says that in interpreting the founder's object, the main object, you should have regard to the class that are intended to be benefited by that endowment. If you do, as you must in this case, think that the main object the founder had in his mind's eye were the poor Popish children, the only benefit you can now do them is to give them a sound education in the English tongue, and the fundamental principles of religion, and that is what we ask at your hands.

The Commissioners then adjourned.

June 4, 1886.

FRIDAY, JUNE 4TH, 1886.

At the Office, 23, Nassau-street.

Present:—Rev. GERALD MOLLOY, D.D., D.Sc., F.R.U.I., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A.

The Assistant Secretary, N. D. MURPHY, Junior, Esq., was in attendance.

MARY'S-ABBAY GIRLS' SCHOOL AND MEETINGHOUSE-LANE PRESBYTERIAN BOYS' SCHOOL.

Mr. James Henry appeared on behalf of the Governing Body.

1768. Rev. Dr. MOLLOY.—Do you appear for the Meetinghouse-lane Presbyterian school?

Mr. James Henry.—I appear for the surviving trustees of four in whom the fund, such as it is, a very small one, is at present vested, Mr. George Duncan and Mr. William Hunter.

1764. Rev. Dr. MOLLOY.—We have before us the state of your endowment at the time of the Report of 1880, and if you will allow me I will read it for you, and we will then ask you to give us the history of the endowment from that time up to the present. (*Reads Report, p. 156.*) Would you now please tell us what has occurred with reference to this endowment between that time and the present?—The present endowment is a sum of in or about £412 4s. 11d.; a portion of that is vested in Government New Three per Cent stock, and another portion was taken out of the investment, amounting in cash to £250. That £250 under a resolution of what is called the school committee of the Rutland-square Presbyterian congregation, and under the sanction also of the Session, that is, the elders and ministers of the congregation, under the sanction of these two bodies, that was lent to a general committee of the congregation for the purpose of certain alterations that were then being carried out at the church at Rutland-square, and it was secured to the trustees of the school fund under legal advice at the time. I believe that that £250 is in the course of being repaid back to the trustees.

1768. Professor DOUGHERTY.—What do you mean by "secured to the trustees"?

Mr. Henry.—There was a bond entered into by the principal members of the committee, and it was also secured, I suppose, by the committee generally.

1768. Professor DOUGHERTY.—You have that bond, I suppose?

Mr. Henry.—I have. The two gentlemen for whom I appear, Mr. Duncan and Mr. Hunter, are the two surviving trustees of four gentlemen who were appointed by resolution of the congregation for the

purpose of taking charge of this fund. That is their only authority, and their only claim to be the holders of this fund at all. I produce to you the resolution of the congregation showing how that matter stands.

1767. Professor DOUGHERTY.—Are they trustees appointed for this special purpose?

Mr. Henry.—They are trustees appointed for the special purpose of taking charge of this fund, with certain limitations that the congregation imposed upon them.

1768. Dr. TRAILL.—Do you mean the school fund as distinguished from the church fund?

Mr. Henry.—The school fund is entirely distinct from the church fund, these are trustees of the school fund. The two Reports of 1857 and 1881 are a little vague as to this endowment. I have before stated what I have been able to ascertain from looking up the reports of the congregation; I had only two days to do it in, and I was not able to do more than take my information from the resolutions that appear on the books. The first regular book containing notes, or minutes of the school committee, that I can lay my hand on is one commencing in 1845, and that continues regularly down, and shows a great deal of work done by that committee down to 1884, when the two schools, the boys' and girls', were discontinued; the occasion of their discontinuance was the removal of the congregation from Mary's-abbey to Rutland-square.

1768. Professor DOUGHERTY.—Did these schools occupy the same site?

Mr. Henry.—They were under the same roof practically, and were part of the buildings in connexion with the church. The first trace that I can find of any endowment from this record is an endowment by a Mr. Anthony Murray, who left a sum of £50 in or about 1845. There is an entry on the 26th June, 1845, in the minutes of the school committee which sets forth the substance of a letter from the solicitors of the executor of Mr. Anthony Murray, and the net result of that was that there was paid to the treasurer of that committee £46 8s. 3d., being, I presume, the £50

legacy, less legacy duty. I cannot find any trace in the subsequent minutes showing that that was invested or anything else done with it, except put into the savings bank with the general funds, possibly used up by the committee for the purpose of the school at the time, for, as I gather from reading over the minutes carefully at that time, the funds were not in as good a state as they had been previously.

7670. Dr. TRAILL.—They spent capital on income in fact?

Mr. HEURY.—At present I have not Mr. Anthony Murray's will before me, and don't know the contents of it. If it were capital they did spend capital as income. The next thing I find in these records is a bequest of James Chambers, and that is, I think, mentioned in the report of 1857, that was received on the 31st November, 1853, amounting to £88 18s. 8d., and was paid by Mr. Alexander Tait for the Mary's Abbey School, that is the only record we have on the minutes. I find on further investigating the books that that £87 was invested, together with another sum, which I will mention afterwards, on the 8th June, 1859, under a resolution of the School Committee. In the meantime it seems to have been lying on their credit in the Savings Bank. The next item I have is money that was received from the Landed Estates Court. You will find that is also mentioned in the report of 1857, it was a composition or an amount compounded for £4 a year, Irish, that had been previously paid to this committee from Lord Milford.

7671. Professor DOUGHERTY.—That is the Leeson bequest?

Mr. HEURY.—Yes; it had not been paid for a number of years, Lord Milford declined to pay it, and the committee did not see their way to enforce payment, not having any remnants of title in connection with it, but the matter came into the Landed Estates Court, and there they proved their title, and they received £37 6s. 3d., together with £45 7s. 10d.

7672. Professor DOUGHERTY.—The history of that is in the report of 1858.

Mr. HEURY.—Yes. These were invested in 1845 in Government New 3 per Cent Stock, and that appears from the minutes. There was another request paid to the Treasurer on January 4th, 1850, Alderman Warren's. The Alderman Warren bequest seems to have been lodged in the Savings Bank.

7673. Professor DOUGHERTY.—It is a curious thing that we have had a case before us already in which a similar bequest under Alderman Warren's will was left to a school in Dublin, and that bequest has not been paid; you appear to have been more fortunate.

Mr. HEURY.—Yes, we got that. We were active in this instance. The next item is the McOulough bequest of £50, that was paid to the Treasurer in 1867, Mr. Drury, since dead. That was paid to the treasurer for the time being of the school fund, after correspondence which will be in evidence before you, the effect of which was that McOulough's executor was reluctant to pay the money as the day schools were not in existence. After some little correspondence he paid it on the understanding that it would be used for the Sunday school in connection with the same church, and that correspondence appears upon the minutes, and that £50 is part of the money that now forms the small fund we have to deal with. There seems to have been, but I cannot myself trace it in any books that I have seen, there seems to have been a bequest of Miss Risk.

7674. Professor DOUGHERTY.—That was invested in building?

Mr. HEURY.—I take it that was what partly built what appears to be the new school, at any rate the present trustees know nothing about it personally, they have got no money in connection with it, and it appears it has been used.

7675. Professor DOUGHERTY.—It appears from the Reports that the school in Mary's Abbey is distinguished from the girls' school in Capel-street; the

boys' school was built on a site held by lease for 999 years. What has become of the buildings on that site held by lease?

Mr. MacKILL.—It was sold in the Landed Estates Court as part of the church premises.

Mr. MacKILL.—It is now used as Boland's bakery.

Mr. HEURY.—I think it was the girls' school that was held under lease.

7676. Professor DOUGHERTY.—The girls' school was held under lease, five years of which were unexpired in 1867; we may take it that the lease has expired, and the property reverted to the lessors, but the boys' school was built on a site held under a lease for 999 years?

Mr. HEURY.—But it was the lease of the church premises, for it was built on the church premises.

7677. Professor DOUGHERTY.—It appears that you invested in the buildings £131 7s. 2d., left for educational purposes by Ann Maria Risk; it would therefore be fair to ask the trustees of the church to account for that sum of money invested in buildings.

Mr. HEURY.—I see your point, but it is not a point I am prepared to meet, for I have not had an opportunity of looking into the records. I understand the church was sold in the Landed Estates Court, there was an investigation of title and of course any buildings on the church premises would go with the church.

7678. Dr. TRAILL.—What became of the money realized by the sale of the church?

Mr. MacKILL.—There was a mere trifle got for the interest after all the expenses had been paid, it was only a few pounds.

Mr. HEURY.—If you bear in mind that the church premises are between Capel-street and Mary's Abbey.

7679. Dr. TRAILL.—If £131 was invested in buildings it is a serious thing they should be sold afterwards for a £5 note.

Mr. HEURY.—I can quite understand that, when it ceased to be used as a school the buildings were practically useless. However the present trustees for whom I am appearing knew absolutely nothing about that, their position is that they were appointed by the congregation to take charge of money which they still have.

7680. Rev. Dr. MOLLOY.—Have you now completed the list of your endowments?

Mr. HEURY.—Yes, as far as I know.

7681. Rev. Dr. MOLLOY.—Will you tell us what is the total amount of capital, and what is the total amount of income you now possess.

Mr. HEURY.—The total amount that the present trustees received was £439 7s. 3d., that was what they received in cash.

7682. Rev. Dr. MOLLOY.—Does that still survive in its integrity?

Mr. HEURY.—Except what has been borrowed by the congregation practically it does.

7683. Rev. Dr. MOLLOY.—And your present income?

Mr. HEURY.—The present income would be about 3 per cent. on the money.

7684. Dr. TRAILL.—What interest does the congregation pay?

Mr. HEURY.—Three and a half per cent.

7685. Rev. Dr. MOLLOY.—Then your total income is about £13 a year. Do you claim exemption?

Mr. HEURY.—Yes.

7686. Dr. TRAILL.—Before you leave the question of the trustees—when were they appointed?

Mr. HEURY.—They were appointed by a resolution of the congregation in January, 1876.

7687. Dr. TRAILL.—You said they were the survivors of four, were those four appointed at that time?

Mr. HEURY.—Yes, under trusts stated in the resolution appointing them.

—The committee appointed to inquire into the condition of the school fund report that after examination they find said sum to consist of legacies or portions of legacies

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bequeathed to the congregation for strictly school purposes, the account in the hands of the treasurer on the 31st December last was £412. They believe the action and school committee to be jointly charged with the administration of the fund. The committee recommended that to place this fund in a more definite position a committee of four be appointed in whose names as trustees the entire account, consisting of the before mentioned £412 with £11 3s. 6d. due by the congregation, should be invested in Government stock, and committee to have power to dispose of small sums for strictly school purposes, only applying at most the yearly income in any one year without the special sanction of the Session and Committee.

7688. Rev. Dr. McLEOD.—Now state the grounds on which you claim exemption?

Mr. Henry.—We claim under sub-section 6 of section 7. It appears from the minutes which I will produce to you that this school as it is called—I may mention first that it would seem from such records as I can produce that this Mary's-abbey school existed at any rate prior to 1741; prior to the date of the first endowment. I have gone carefully through the minutes, and I can find no trace in their records of any of these moneys being retained as part of their income up to 1845 at all. I can find no trace in any account of any income from investments so to speak. I will produce to you accounts from the minutes of the committee showing that these schools were schools supported by the voluntary contributions of the members of the congregation mainly made up by one annual collection made in the church. You have some notion now of the extent of this endowment, even if it existed as largely then as now, £13 a year. The annual collection averaged £300 from the members of the Mary's-abbey congregation which was utilized by a committee appointed by the general congregation and entirely under their control, and obliged from year to year to report to them at their annual meetings. It would seem unquestionably that when these schools were started and were in working order, the education in them was so good that persons of other religious denominations attended there, and paid fees to the master which were very substantial at that time, £4 or £5 a year, for a classical education.

7689. Professor DOUGHERTY.—The school was originally a classical school?

Mr. Henry.—Yes.

7690. Professor DOUGHERTY.—Latin was taught as late as 1855; it was not a National school.

Mr. Henry.—Oh, no. I would therefore submit that the only possible evidence at all that could be produced to show that this would come under the Act would be that there were boys, who were of other religious denominations, besides the Presbyterian body, taught there, and the answer to that is that there is not a school in the kingdom in which there are not some varieties of denominations, to which boys of different denominations voluntarily go, and supplement the income of the master by paying fees. This school is one unquestionably under the exclusive control of persons of one denomination.

7691. Dr. TRAILL.—You should apply yourself to the question whether the funds left for education by these persons was intended to be left for the education of others as well as those of their own denomination.

Mr. Henry.—That is the difficulty in which I find myself, because the trustees have no records, the fund is an exceedingly small one.

7692. Professor DOUGHERTY.—There is no difficulty in tracing the wills, they are of recent origin.

Mr. Henry.—Those wills, as a rule, are very lengthy documents and expensive to the trustees. I don't say that they would not be willing to procure copies.

7693. Dr. TRAILL.—How does £400 arise, because the endowments you have given us do not amount to that?

Mr. Henry.—There are accumulations of interest.

7694. Dr. TRAILL.—Well, accumulations of interest, as well as voluntary contributions, are exempt from the Act.

Mr. Henry.—I take it, that as far as this fund consists of voluntary contributions they are out of the Act.

7695. Rev. Dr. MOLLOY.—I understand your case to be that the school existed prior to any endowment, that the origin and history of the school indicates that it was intended for the children of one denomination only, and it was administered entirely by the members of that denomination. Further you contend that the presumption is that the endowments were given to the school according to its existing constitution; and therefore you infer that the endowments were given for denominational purposes exclusively. I think that is clear as a *prima facie* case. But it would be more satisfactory if you could, without considerable expense, get us the original documents from which the endowments are derived, or substantiated extracts from them, and send them into the office.

Mr. Henry.—I am sure the committee will do that.

7696. Rev. Dr. McLEOD.—If the Commission consider that you are exempt, it might be to the interest of your trustees, to submit to this Commission some scheme for the administration of this small endowment, so as to make it more efficient for educational purposes. You would not be bound to do so, but it might be the most convenient thing you could do. If you wish to submit such a scheme to the Commission, the denominational character of your endowment must be preserved in any scheme which the Commission may eventually adopt.

7697. Professor DOUGHERTY.—If you thought of adopting that line of action it would seem to me entirely unnecessary for you to involve yourself in expense hunting up these records.

Mr. MacKILL.—It has been the intention of the congregation always to revive these schools whenever suitable premises could be obtained, and we tried a few years ago to obtain a portion of our present premises for that purpose, but they were too expensive, and as soon as the lease expires we expect to get them, so that the whole thing has been hushanded for the purpose of carrying out the school under the original intention.

Professor DOUGHERTY.—It would occur to me that unless you were able to supplement this endowment to a very considerable extent, the idea of starting schools of the same character as the schools that have lapsed, with an annual income of £13, would be absurd.

7698. Dr. TRAILL.—I take it you intend to spend the capital on the schools, and then look to a National Board grant.

Mr. MacKILL.—Yes. In former years we had £300 or £400 from the annual collection, and it is only recently it has gone down to £200.

7699. Professor DOUGHERTY.—These endowments were never intended to be applied for the support of a National school.

Mr. Henry.—I intended to mention that while the trustees intend to claim exemption here, their intention, undoubtedly, is to apply this money to the same class of schools, and I think it is highly probable, whether they are exempt or not, that this Commission will have an opportunity of formulating some scheme for them. The money, it appears, is in their hands, but they might find a difficulty in amalgamating it with other funds, or supplementing the income of a school not exactly under their own roof. They might, with the assistance of this Commission, be able to get such powers as would enable them to do so; but in the meantime there is no intention on their part to squander this money. For the last twenty years they have hushanded this fund by keeping it strictly under that resolution of the congregation, only applying at most the yearly income in any one year in small payments that were made for the more efficient working of the Sunday school in connection with the congregation; that is in certain educational directions, and for the benefit of the persons for whom it was originally

intended. They are clearly acting judiciously in keeping the entire fund, and the only thing, I think, I have to submit to you to-day in this question of exemption.

7700. **Rev. Dr. MOLLOY.**—I think we could hardly give a formal judgment that you are exempt on a mere statement of this kind without having before us the wills or extracts of the wills, from which the endowment is derived, but if your trustees are disposed to submit a scheme to us for the administration of this fund we will let the matter stand over to allow you time to do so. If, on the other hand, you wish to have a formal decision declaring you exempt I think it will be necessary for you to try and get us copies of the wills or extracts of the wills from which your endowment is derived.

Professor DOUGHERTY.—You can save yourselves all that expense if you come in with a scheme settling the educational application of this endowment.

7701. **Dr. TRAILL.**—I think you ought to say how much of the £438 consists of voluntary contributions, and how much of original endowment, and you would not be required to bring in documents to prove that voluntary contributions were for denominational purposes; that could be assumed.

Mr. Henry.—It would be practically impossible to prove it.

7702. **Professor DOUGHERTY.**—Is there any difficulty in accepting the suggestion to postpone the decision in this case until you have an opportunity of making up your mind as to the proper application of this money, and of bringing in a scheme which would settle the application of it to educational uses according to your own ideas?

Mr. MacKillop.—That is exactly in line with our wishes.

7703. **Dr. TRAILL.**—If you have a difficulty in getting at certain documents, and if a scheme is brought in before this body, which on the face of it contains a reasonable and fair application of the money for denominational purposes, I should certainly be inclined to assume in the absence of documents that could not be found, that the money was given for denominational purposes. Of course any document that could be readily got should be brought here. And I think also if money be found to have been lost through the default of former trustees, you could not be held responsible for it. That £131 was lost for instance, and it would be of no use to produce that will.

Mr. Henry.—As nearly as I can make out what we have at present is the proceeds of the Lesson Bequest, 1741; we also have the Chambers' Bequest, and we have a further sum of £46 3s. 1d., which seems to have been £50 Irish, to which the name of Milltown is also attached, and how we got it I don't know, and cannot trace it, we got that in 1859. On the 8th June, 1859, we got £46 3s. 1d., and that was paid by the trustees of Lord Milltown, and does not seem to have been in connection with the £4 a year at all;

and it seems strange that we should get anything from Lord Milltown who resisted paying us anything for years. £46 3s. 1d. was invested together with the Chambers' Bequest.

7704. **Dr. TRAILL.**—Do you find anywhere that the Warren Bequest was drawn out of the savings bank.

Mr. Henry.—The general balance was drawn out at a later period.

7705. **Dr. TRAILL.**—That is £236 15s. in cash, and £250 lent to the Church.

Mr. Henry.—However it was arrived at, on the 11th July, 1860, I find from a note in one of the reports that there was stock, then £311 15s. 6d., that was shortly before the school was closed. Then when the school was closed in 1863 and 1864, the school fund committee at that time lent to the congregation for the purposes of certain fittings, the entire money or nearly the entire money, and it appears from year to year, in the records which I have gone carefully through, that that was paid back.

7706. **Dr. TRAILL.**—How much is due against the Church now?

Mr. Henry.—There were two loans to the Church. At present £250 is due against the Church. Before these trustees were appointed at all, there was a loan to the congregation at the time they changed to Rutland-square, in 1854, it had nothing to do with the £250. Money was lent twice, but the whole fund was lent originally, £311 stock, and money drawn out of the savings bank was lent to the congregation, and all repaid, that was £374 1s. 5d.

7707. **Professor DOUGHERTY.**—It certainly has not grown less inasmuch as you have now £420 odd.

Mr. Henry.—In 1865, about the time of the change there was advanced by the school fund to the general committee of the congregation £376, that was all the money the school committee had at that time from all these investments. The reports submitted to the congregation show the amount borrowed, two sums were repaid in 1866 and 1867, and the balance returned as due to the school fund, and it is carried on in that way until the whole thing gets back into the school fund, and in addition it has £50 of the McCullough Bequest, so the capital would be £376 1s. 5d., and £50 from the McCullough Bequest.

7708. **Dr. TRAILL.**—Was the Warren Bequest included in the £376?

Mr. Henry.—Yes. Then you have the McCullough bequest, the only addition to it, once the school was closed. The present trustees got £438, and substantially they have £438 in stock and securities.

Rev. Dr. MOLLOY.—The one then can stand over, and if your trustees decide on sending in a scheme to us, I think they may be quite confident that any reasonable scheme for the application of this fund for denominational education within the Presbyterian body will be favourably considered. But if you decide on not sending in a scheme then you can claim exemption and we shall expect extracts from the wills as far as they can be obtained without extraordinary expense.

ST. CATHERINE'S NATIONAL SCHOOLS, MEATH-STREET.

Very Rev. Canon McMorris, F.R., appears on behalf of Governing Body and claims exemption.

7709. **Rev. Dr. MOLLOY.**—Perhaps I should explain to you the principle on which we have decided to act. If an endowment of a purely denominational character has been given to a school, the fact that that school is brought under the operation of the National Board, does not deprive the endowment of its denominational character, because though the school is open to children of all denominations, the endowment remains exactly what it was before, a denominational endowment.

Canon McMorris.—I cannot tell what the intentions of these endowers were. The principal endowment the schools have was left by two parish priests, and Mrs.

Coyne's name also turns up occasionally. They are practically denominational schools, and are called the Roman Catholic schools in the bequest of Mr. Delany.

7710. **Rev. Dr. MOLLOY.**—In the absence of an explicit declaration of trust on the part of the original founder, if an endowment was left by a Roman Catholic to a Roman Catholic priest to administer, that fact would of itself *prima facie* indicate what was the destination of that endowment. Is that the nature of your endowment?

Canon McMorris.—The donors were all Catholic. The principal donation was given by two parish priests.

June 4, 1866.
Mr. James Henry.

St. Catherine's
National
Schools,
Meath-street.

Canon
McMorris.

June 4, 1898.

Canon
M'Manus.

7711. Professor DOUGHERTY.—Would you like to have a scheme settled by the Commission?

Canon M'Manus.—The funds all come into my hands, I distribute them as I think best. I have been in charge of these schools for the last twelve or thirteen years, and I would like things to remain as they are.

7712. Dr. TRAILL.—In whose names are the funds invested?

Canon M'Manus.—The principal sum—the sum

Canon M'Manus sworn.

7713. Rev. Dr. MOLLOY.—At the time of the report of 1880, I find that you had an annual income from trust funds of £198 6s., and from land £68 13s. 4d., making altogether something a little short of £260.—What is the date of that account?

7714. Professor DOUGHERTY.—I think it was taken from the report of 1856—I was not in connexion with the schools in 1856.

7715. Rev. Dr. MOLLOY.—Can you tell us what are the items of your endowment at present?—The largest endowment is a sum of £3,160 19s. 2d. Government stock, in the names of Archbishop Walsh, Canon Farrell, and Canon Daniel as trustees. The next item is £553 5s. 10d. Bank stock, the bequest of Mr. John Delany to the Roman Catholic Poor Schools in Meath-street.

7716. These are the terms of the will?—Yes.

7717. Who are the trustees?—James Talbot Power, Alderman Delany, and myself.

7718. Were you mentioned by name, or as parish priest?—As parish priest.

7719. Professor DOUGHERTY.—The will was proved in 1844, I believe?—Yes.

7720. How the whole of it became available?—Yes, his widow had a life interest; she died in 1874, and then the matter was brought before the Master of the Rolls. The Master of the Rolls directed that the property should be divided according to the will into three portions, one belonging to me, and the other two-thirds to schools in the neighbourhood, and nine trustees were appointed, three to each school.

7721. Rev. Dr. MOLLOY.—How much does the Bank stock yield?—My portion of it, about £40.

7722. Anything more?—The nine trustees agreed in appointing me the receiver of the rents, and I distribute them.

7723. The total income from stock is, how much, at present?—Upwards of £120.

7724. Dr. TRAILL.—Is £265 the third?—Yes.

7725. What has become of the other two-thirds?—They are in the hands of other trustees for Rathfarnham and St. Nicholas, Francis-street.

7726. Rev. Dr. MOLLOY.—All Catholics?—Yes.

7727. Dr. TRAILL.—What was the origin of £3,000 Government stock?—Funds left by two parish priests for educational purposes.

7728. Professor DOUGHERTY.—They are described in the report of 1856 as "anonymous trust funds

left by the parish priests—is in the hands of trustees, Archbishop Walsh, Canon Farrell, and Canon Daniel. Mr. John Delany, who was a trader in the neighbourhood, also left Bank stock, and one-third of the rent of a farm in Meath for a Roman Catholic school. Dr. Molloy suggests I should claim exemption, I don't know whether it would be any advantage to me.

Rev. Dr. MOLLOY.—I think, perhaps, we had better hear your evidence on the subject.

invested by trustees?—Trace here and there couple their names with the funds; it is from them it has come down. Canon Daniel who was the curate at the time pays the interest to me.

7729. Rev. Dr. MOLLOY.—What do you get now out of the lands of Orishstown, co. Meath?—One-third rent, the total is about £210 a year.

7730. Is it paid?—It is.

7731. Professor DOUGHERTY.—It is a freehold rent, I think?—Quite so, the whole rent is paid to me, and I divide it.

7732. Rev. Dr. MOLLOY.—Do you administer the fund for the benefit of your poor schools?—Certainly.

7733. You supplement the income of the teachers?—Yes, and the convent schools also, as they are in the parish I admit them to a share of the endowment of what I call the priests' fund.

7734. We should be glad if you would give us the salaries of the teachers?—Out of that income I spend first on rent for St. Catherine's Schools £85 a year. Then I supplement the teachers' salaries of the St. Catherine Schools, Meath-street, and the Convent Schools, Weaver's-square, also in connexion with the parish, by £127.

7735. Dr. TRAILL.—Are they National Board teachers?—Yes.

7736. Rev. Dr. MOLLOY.—Have you the items of the several sums your teachers get from the National Board?—I can give them in bulk, about £300 a year, Boys' school, Girls' school, and Infant school.

7737. Your supplement amounts to one-fourth of the National Board grant, roughly speaking?—Yes. Then the rent, that supplement, and other expenses absorb the whole of my income.

7738. It enables you to keep your National school in a thoroughly efficient state?—Yes.

7739. I think we may declare this endowment to be exempt. We find that in all the schools in your neighbourhood the Infant schools are larger than the Boys' and Girls' schools. How does that happen?—In this way. I think when the children grow up they are drafted off, and the small children of course are left with us.

7740. Dr. TRAILL.—What is the limit of age in the Infant school?—About seven; people are very fond of sending their young children to school; the grown girls are kept at home or go to business, and after twelve or thirteen years of age it is difficult to keep them at school.

ST. CATHERINE'S PAROCHIAL SCHOOLS, THOMAS-COURT.

Rev. A. Elliott appears on behalf of Governing Body, and claims exemption.

Rev. A. Elliott sworn.

7741. Dr. TRAILL.—The Report of 1881 states that your endowment is derived from Tindall's will, and Venables's will, it does not give the items. It says your total income from rents is £201 11s. 4d. Is that right?—It is variable from year to year. I propose not to go into figures to-day, but to claim exemption on the principle of the 7th section.

7742. Rev. Dr. MOLLOY.—If you succeed in establishing your claim to exemption, we have no further

right to make any inquiry into figures?—If you do not declare us exempt, I must consider it very carefully with the trustees.

7743. Professor DOUGHERTY.—We have a right to know what the endowments are, and how they are held?—We have the Act of Parliament here, with the Schedule referring to the wills.

7744. Rev. Dr. MOLLOY.—You claim exemption under the 7th section, sub-section 6, I suppose?—

St. Catherine's
Parochial
Schools,
Thomas-court.

Rev. A.
Elliott.

chiefly under sub-section 6, and partly under sub-section 5. In fact the money which we have at our disposal for the schools comes partly from the grant from the ancient parish estate. It comes partly from voluntary contributions during the year, and I claim under sub-section 5 for that, and then chiefly under sub-section 6.

7743. **Rev. Dr. McMAST.**—Then will you make your statement, please?—My statement is that in the first place the money has been given for the children of one denomination, as you will see in this Act of Parliament, by Verschoyle's will and Tiedall's will.

7744. **Dr. TRAILL.**—What is this Act of Parliament?—A private Act of 1834. I quote Verschoyle's will, Tiedall's will, Mahon's will, and Oney's will, in which they give the money for the education of the poor Protestant children of the parish. It gives the Vice of the said parish, for the time being, the annual sum of £25, in trust for the education of the poor Protestant children of the said parish, and the trustees must be members of the United Church of Great Britain and Ireland, as by law established.

7747. That applies to the persons who administer the fund then?—Yes.

7748. Who are the *ex officio* trustees?—The Archbishop of Dublin, the Earl of Meath, the Dean of St. Patrick's, Archbishop of Dublin, Viscount of St. Catherine's, and Churchwardens of St. Catherine's.

7749. Is there any reason for supposing the Earl of Meath is a Protestant?—He ceases to be a Governor if he is not a Churchman.

7750. Was Arthur Guinness a Churchman?—Yes, but this rules them all, there were certain matters that would disqualify them; if they became bankrupt, or ceased to be Protestants of the United Church.

7751. That only applies to persons who are not *ex officio*, is the Lord Chancellor mentioned at all?—No.

7752. Or any judge who might belong to any other denomination?—No, the only *ex officio* trustee is the Earl of Meath.

7753. The only question appears to be about the Earl of Meath. What was this Act of Parliament got for, have you any knowledge of it, was it got just as a Chancery scheme would be got?—Yes, to settle disputes. There were three parish estates, the ancient parish estate, the school estate, and almshouse estate, and it was got to regulate the administration of the funds of these estates. I should say that within the last year we have been through the Court of Chancery to get a scheme for giving certain funds out of the parish estate, and the Vice-Chancellor has framed a scheme for us.

7754. **Professor DOUGHERTY.**—When did you initiate these proceedings?—I could not give you the exact date, but they were begun about eighteen months ago, it was filed in July of last year. It does not

deal with the thing more than to give a portion of the money to the Rector.

7755. Does this scheme work satisfactorily as far?—I think so.

7756. **Dr. TRAILL.**—You are the Incumbent of the parish now?—Yes.

7757. **Rev. Dr. McMAST.**—The report of 1880 was not very favourable to your schools?—I cannot say, as I was not in the parish then.

7758. **Dr. TRAILL.**—Are the schools in good repair now?—A large sum of money has been spent on the buildings within the last few years.

7759. Has any of the capital been spent on it?—No.

Rev. Dr. McMAST.—You are aware that under sub-section 6 of section 7, you have to show two things. First that the endowment is applicable to persons of one religious denomination only, and secondly that it is administered exclusively by persons of that denomination. It appears to me quite evident from your Act, that the endowment is administered by persons only of one religious denomination, namely members of the church at that time established in Ireland, but we shall require to look into the Act to see whether the original trusts provided that the benefits of the endowment was to be applied exclusively to persons of that denomination. Subject to that point you appear to be exempt.

7760. **Dr. TRAILL.**—The children on your roll appear to be all church children?—Yes; the schools are known in that Act as the Protestant schools, and the money was given to them as Protestant schools, and a great part was given in trust to the vice, or to the vice and churchwardens, and to be administered by those who belonged to the Church of Ireland.

7761. **Rev. Dr. McMAST.**—We must carefully examine the Act to see whether the endowment is exclusively applicable to the children of one denomination: of course *prima facie* it would seem to be so.

7762. **Dr. TRAILL.**—Suppose we found it was not so, that some part of the endowment had been left to the poor of the parish generally, would you have any scheme yourself that you would then wish to bring in for the future management of it, because it might be technically within our Act?—I would rather not have to do that, because at the present time it is working satisfactorily.

7763. **Professor DOUGHERTY.**—What provision have you for the appointment of trustees?—Co-optation under the Act.

7764. And do you find the principle of co-optation to work satisfactorily?—We have never had any difficulty, I have never heard of any difficulty in the matter.

Rev. Dr. McMAST.—We will let it stand over for the purpose of inquiry. I understand you wish to take no step until we decide whether you are exempt.

Thomas Leflon, Esq., M.D., examined.

Thomas Leflon, Esq., M.D.

7765. **Rev. Dr. McMAST.**—You wish to make a statement with regard to the general question of the endowments which come under the operation of this Commission?—Yes; there are certain propositions before the Commission with regard to the allocation of the fund of the Royal Schools.

7766. Before you commence your statement we should be glad to know whether you represent any public body here?—I represent no one except as a lay Catholic living in a country district, one who has made repeated efforts to provide the district with a good classical school, who has taken some active part in bringing public opinion to bear on what I consider the proved failure of the Intermediate Act. I wish briefly to lay my views before the Commission—First with regard to the proposals before the Commission as to the Royal Schools—one is to establish three or four monster schools, the second is to apply all the surplus funds to exhibitions and prizes to be opened to the whole country indiscriminately, and the

third is to apply the surplus fund to the endowment of small schools.

7767. What is your locality?—I live in a country town with a population of 5,000, that is the town of Cashel; and, at the time this Intermediate Act was passing, I pointed out in a letter, published in the *Dublin Freeman*, that as the results were arranged it would confer no advantage whatever on the rural districts. The Intermediate Education Act was passed for the purpose of providing educational facilities not previously at the disposal of the poorer classes. There was no lack of educational facilities for learning bookkeeping and other subjects which now form part of the Intermediate curriculum, neither was there a lack of facilities with regard to learning technical subjects such as chemistry and other sciences, but what there was a great lack of were facilities for getting a cheap education in Greek and Latin, subjects that would be a necessary preparation for a university or profession. At the time it was introduced, I

June 4, 1906.

Thomas
Lefan, esq.
M.P.

forwarded a letter which appeared in the *Dublin Freeman* over my name, in which I pointed out that in order that these facilities should be accessible we should have schools within an area of four or five square miles, that being a maximum distance that a boy could be expected to come to a school, that these schools in the present state of the population would be small schools, and being small schools the number of results fees would be smaller still.

7772. Dr. TRAILL.—Was this for intermediate education?—Yes. That consequently the scheme provided under the Act could give no substantial help to these schools, and that has turned out to be the fact. I repeatedly attempted to establish such a school in my own town, and I failed for want of endowments.

7773. Is there no intermediate school at Cahel?—Some primary schools do intermediate work, but not the complete work, which aggravates the difficulty. I have looked over the Intermediate result books for 1884 and 1885. I am now putting the case of the Catholics, I have no direct concern with any other denomination. I find that except in the six leading towns, towns in which there never was any lack of classical schools of any denomination, that there were not more than three schools, day schools pure and simple, Catholic day schools, which were capable of preparing boys for even a pass examination in Greek and Latin. There are a few Catholic Colleges which have day scholars, but I have not been able to ascertain how many of the boys that appear in the result list may have obtained their education at them; there is that uncertainty but that does not invalidate the argument that the Intermediate Act has completely broken down so far as settling what was intended by the legislature it should settle, namely, creating accessible classical schools for the Catholic body, as for other denominations. The Catholic body having no public endowments, and being the larger number occupied the larger space in the minds of the legislature for the time being. Lord Curzon when he introduced the bill stated it was intended to supply facilities, which owing to a variety of circumstances had ceased to be at the disposal of the struggling classes. The rich could send their sons to public schools, and they have first class ones, but the struggling classes could not afford to send them to a good school, at all events, could not afford to send them for long enough, or send them prepared enough, and a large percentage of the class could not send them at all. I will mention two instances which occurred to me recently. A short time since a widow lady mentioned to me that she had her son at one college after another for eight years, and that she had spent upon him as much as would now provide him with some profession or other, and if she had had a good school on the spot where he could receive a classical training the money could have given him a profession. That is not an exceptional case, it is a typical one, and I believe it applies to the Presbyterians and Episcopalians as much as to us; however, I don't want to interfere with anybody else. Another case occurred to me a short time ago. I was driving in a country district, and seeing a fine mansion occupied by a gentleman farmer I asked had he a large family and how many boys. "Oh!" said my driver, "a large number of boys." What is he doing with them? They are all growing wild, he has not the means to send them to college, and there are no local schools. These are typical cases and apply to hundreds, if not thousands of parents, therefore there is an immense number having a great interest in this question of the reapplication of the funds provided by the Intermediate Board, and, of course, the application of the funds which you will have ultimately at your disposal.

7774. Are you in favour of the distribution that Dr. Todd Martin asked for on behalf of the Presbyterians, namely, small sums to be given to small country schools up to a certain number in attendance?—I am in favour of that, subject to certain restrictions which I will mention presently.

7771. What number of boys would you consider the limit?—I consider the number should not be less than ten, but the precise number should be regulated after a careful investigation, so that it could be laid down what might be the number which an average district would yield. You start with a determination to supply education at a reasonable cost, and then you come to the area within which it would be practicable for boys to come.

7772. What supplement would you give in the way of assistance to a school with only ten boys?—I think myself, though the sum looks very small, that if £250 a year could be given to a school without asking any question at all as to the denomination of the manager, for results fees for teaching these subjects for which help is necessary, it would suffice. There is no lack of facilities for education in arithmetic, and there is no lack of facilities for education in chemistry, though chemistry requires special preparation and a very expensive apparatus for those who want to study it. Now, owing to the unfortunate fact that the Intermediate Board thought proper—

7773. Rev. Dr. MOLLAY.—We are not sitting to inquire into the object of the Intermediate Education Act, nor into the manner in which the Commissioners have carried out that Act, and we cannot, and will not go into that question. But we are prepared to hear from you, if you wish to make a statement, facts as to the existing want of educational facilities in the several localities with which you are acquainted, and the manner in which you think the endowments that come under the operation of our commission may be applied for the purpose of supplying that want.

Dr. Lefan.—What I have to say, is, I am dealing with the causes which have produced the results I have indicated, namely, that there is a total want of day schools so far as the Catholic body is concerned where the combined subjects of Greek and Latin are taught. As I am precluded from pointing out how that has occurred, let it suffice to say that such a want exists, and although a good many primary schools prepare boys in Latin, especially the junior classes, there is a total lack, except in two or three instances, through the country districts of Ireland of any Catholic day schools that appear to be capable of turning out boys fitted for a University, and that being so, I appear before the Commission to put on record my strong view that the system proposed by Dr. Martin, with a due provision for all denominations, is the one which would meet the difficulty. There are two ways in which provision is made at present for cheap education. One is by the indirect method of endowments by results fees, that is a complete failure so far as these schools are concerned, and I say it was far from what was intended, and not for higher schools. Then there is a second way in which provision is made, namely, by subsidising boys by means of exhibitions, and money prizes. Will these are two or three objections to a further extension of that system. In the first instance the system of education which rests upon an interminable number of examinations is not accepted universally, and Mr. Arnold has taken exception to such a system. And I have been informed that some of the head masters of the leading Catholic schools themselves, while not pretending to be of the same rank as Mr. Arnold, look with the gravest apprehension on this system of interminable examinations and exhibitions and prize fighting. Suffice it at all events that it is not a system that is universally accepted as a safe one, and on that ground too I object to a further extension of it. Then there is another ground upon which I object to it. It is this, if you had a large sum of money at your disposal it would take some £40,000 a year to give a £50 exhibition to each one of four square million Ireland. That £50 would be the least sum that would be any use for the encouragement of a boy; and giving that £50 by public competition, or two exhibitions of £25 each, you sacrifice for the sake of one or two the interests of ten or twenty boys who would

have cheap educational facilities placed within their reach if that £50 were given as a direct endowment. You sacrifice their interest for the sake of a couple of boys who might be separated in ability by a hair's breadth from others who would fall to get the exhibition. Or there might be boys who might be entirely inferior to their more fortunate fellows, but who might have superior mental qualities that a generous education would develop. And therefore I object to the proposal to still further extend the vicious system on ground No. 2 that it is the least economical system because it benefits the smallest number of boys. If a direct endowment were given in the way I will point out presently, it would reach a far larger number than the intermediate system does. Furthermore, ground No. 3, although these exhibitions are supposed to be open to the cleverest and poorest, in point of fact, as happens in the Civil Service, the people with the long purse are able to carry them away. There are certain grades of the Civil Service supposed to be open to everybody, but in point of fact the boys who can come up to town and grind for two or three years will beat any boy coming up direct from the country. When you propose to provide cheap education by means of exhibitions and prizes it is altogether a mistake to suppose that these reach in every case those they are intended to benefit. They do nothing of the kind. If the Intermediate lists be looked at it will be found that most if not all the good exhibitions are actually taken by the first class schools. That shows that the boys who are at first class schools have an advantage over those who have to struggle for themselves, and so far it is against the extension of the prize system.

7774. Professor DOUGHERTY.—By first class schools do you mean the larger schools?—I do. Then there is another point I have not personal experience of, the fact that the present system is actually injurious to the health of the boys; but a friend of mine, who is a practising physician, states he has met more than one case where parties have actually died, he has attended them for the results of over pressure, and I have no doubt that many persons have permanently suffered from enfeebled mind by being overtaxed in their earlier days. The principal point I dwell upon is the fact that a direct endowment would reach the people and do them good. With regard to the system of direct endowment, I would suggest the following, and I do so because I am quite satisfied that the decision, whatever it is, that will be arrived at here will regulate the disposition of a large amount of money and probably lead to a re-organization of the whole system of the Intermediate Board itself. When the Act was originally introduced I suggested differential result fees should be given.

7775. Rev. Dr. MOULOT.—Would you please detain from telling us about your controversies with the Intermediate Board, and tell us only what you would recommend now to us?—Assuming you have a few thousand pounds a year at your disposal, I would suggest in order to avoid the denominational difficulty, and to do the largest amount of good, that this sum should be given in small grants. For the sake of argument I will mention a sum, not that I would fix it arbitrarily, for I would leave that to the discretion of the sub-committee subsequently, that commission having made further inquiries as to what would suffice, and so on. But I would say if you allow £50 a year as a direct endowment, and give it in this way, that you should give two sums of £25 each as result fees for the first two boys that pass in a certain standard of Greek and Latin combined.

7776. Dr. TRAILL.—That is, not to be given to the boys, but to the school teachers?—Paid to the manager without any reference to his creed or condition, and subject to the following rules; and if you do that I think you will do a large amount of good, and afford reasonable facilities to people who could not otherwise afford such an education.

7777. Professor DOUGHERTY.—Is £50 your maxi-

mum or minimum?—I mentioned it for the sake of example. I believe the exact sum could not be found out until after the sittings of the commission. I suggest £50 a year. Care should be taken to exclude instruction in all the other subjects in which instruction is not needed.

7778. Is it your idea that the amount granted to each school should be the same?—No, and that is one of the reasons why I would have a certain amount of elasticity. There are certain rich districts where if a school were once started the teachers would be well paid, the difficulty is to start a school. The annual grant might be available according to circumstances, the richness of the locality, and so on.

7779. Dr. TRAILL.—Would you give more than ten of these to a county for instance?—I don't think you could bring a boy more than four miles. It would take 800 schools to provide a school for each district for four miles square. I don't tie myself to a particular sum, but merely suggest it for the sake of argument. I would insist upon the following conditions, that the party should be a certificated master, no matter who he was. During one of my efforts, and I received every assistance from my parish priest, to establish a school in my own town, we came in contact with a gentleman who had passed all the classical examinations for the B.A. of Queen's University, and this gentleman had to be dismissed for his inability to decline a Latin noun at the first declaration.

7780. Professor DOUGHERTY.—Were you proposing to give him a certificate that you had examined him, or how did you find out his ignorance?—He said, I have passed the first half, and he produced a number of certificates including accounts of having got prizes, which certificates I retain. He said "I have to pass the other half, and I have not to pass in Greek or Latin at all." That may or may not be correct, I am not acquainted with the minutiae of the examinations. He produced a local paper containing an account of his having received several prizes. We were going to examine the parties, and it was deemed unnecessary to examine this gentleman on account of his superior attainments, but after a few days there was a hubbub in the school, we were told that he was breaking down; we refused to believe it. We had to listen to it, and he was put through some simple feelings and then broke down. I have the papers, and if challenged can produce them. I would not therefore acknowledge any school unless the teacher had passed an examination before a couple of competent examiners appointed by the Commission.

7781. Dr. TRAILL.—Is he a teacher there still?—No.

7782. Rev. Dr. MOULOT.—The first point of your scheme is to give £50 a year to 800 schools?—Yes, roughly speaking.

7783. The next point is to require that the teacher should be certificated by two competent examiners. What is the third point?—A certain minimum, to be fixed by the Commission, of boys who should attend the school in order to qualify them for any grant at all, and that should be only in accordance with what would be found practicable having regard to the area or density of population.

7784. What minimum do you propose?—From ten to fifteen roughly. The maximum distance would be one of those details left to be settled; and then again the conscience clause which at present exists, that of course should be retained. Another most important point is, not only should the teacher give evidence of his competence, but he should not be allowed to dabble with fifty wonderful subjects, but should be obliged to confine himself to give as much time to the two leading subjects as would enable him to do justice to them. One of the great objections at present to dabbling with Latin is that persons who are competent to teach it, which does not always happen, are engaged in so much other educational work as not to give them any time for proper teaching. Now comes a matter that, although it refers indirectly to the Intermediate

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M.A.

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Thomas
Lafan, Esq.,
M.P.

Education Act, I must introduce an indispensable, viz., the effect produced by boys passing in none of the intermediate subjects proper—three or four boys from a primary school, passing in subjects that have nothing to do with intermediate education, their parents think they are fine fellows, and by and bye at the end of three or four years, when they are going to send them to a University, they find they have to send them to an expensive college. I propose to strike out from such schools as these I would endow, all subjects except the two main subjects, Greek and Latin.

7785. Professor DOUGHERTY.—Would you call a man educated who knew no Greek?—I am prepared to fully accept the doctrine that the two subjects are subjects that ought to be acquired by persons who want to be educated.

7786. Rev. Dr. MOLLOY.—I don't understand what you say about other subjects, whether you exclude them or admit them?—With regard to other subjects, I should say no result fees for them.

7787. What do you mean by result fees?—I propose that £50 should be paid in the shape of result fees.

7788. That is for two boys examined in Latin and Greek, and nothing else?—And nothing else, but inasmuch as it would be very desirable that some distinct foundation should be laid in English and mathematics. I would have those boys examined in these subjects. I would not have boys rushing into a classical school, without having obtained a distinct knowledge of English and mathematics, but I would not count these, for the reason that the intermediate system of endowment is necessary at all is in order to provide teachers in the classical languages, and it is not necessary to provide instruction in elementary mathematics.

7789. Dr. TRAILL.—Would you include Euclid or trigonometry in elementary mathematics?—I would, these are taught in most National schools, Euclid is taught, though not in school hours. I believe if you had a fair amount of endowment you would in most localities which are fairly populous and fairly rich, be able to procure what I consider an indispensable adjunct to a classical school, a good English master. But inasmuch as it would be most desirable that persons who were to get a classical education should come reasonably prepared for it, and the master should have most of his time for these subjects, I would take no note of English or elementary mathematics, except in so far that if a boy breaks down in them, if we were sufficiently rich in numbers, we would not admit him into a classical school at all without a preliminary examination. If not, I would find some means to punish him for coming in so backward a state, at least so far as would be compatible with not detaching him from reading there. In order that the number of boys should be ascertained, of course a system of inspection would be indispensable, otherwise you would have people with three or four returning ten or twelve as being present at the school.

7790. Have you got this in print?—No, I have not.

7791. Rev. Dr. MOLLOY.—Is that your complete scheme?—That is my complete scheme, and I submit it is not in the sense that I deem it most politic, but because up to the present no layman situated as I am has come forward to represent the struggling classes, and the difficulty in the way of getting cheap education.

7792. Dr. TRAILL.—Have you been engaged in education yourself?—I was on a modified staff some time in Dublin. Those are the heads of the scheme which I submit, because I think that the provision made for those who like myself have the misfortune to be living in small country localities is so defective, that their views should be placed before the Commission, as well as the views of more influential persons. If the Commission see their way to directly endowing these schools the religious difficulty might be obviated. In a locality where there happens to be material enough for reorganizing three or four schools of different denominations, I don't see that there would be any difficulty in doing that. Where one party happened

to be in a small minority, the minority should put up with inconvenience, at present the minorities throughout the country where there are not endowed schools have to put up without education at all, and their difficulty would not be increased but lessened.

7793. Rev. Dr. MOLLOY.—There are two or three questions I should like to ask you; not in the way of objecting to your scheme, but with a view to see the practical application of it. You think 800 schools would be sufficient?—Roughly.

7794. And the amount you would give to each school £50; and the number of pupils to qualify a school to receive £50 would be ten. Would you give more than £50 to a school that would have a great deal more than ten?—I studied a while ago that a large discretionary margin should be given to the Commission.

7795. Your 800 schools would absorb £40,000 a year, and there would be very little room for discretion if that exhausted the funds?—I should expect a beginning would be made with twenty or thirty schools, and we saw how it would work.

7796. What I want to know is whether you would think it desirable to reduce the number of schools with ten or fifteen scholars which you would admit in this way, in order to give more than £50 a year to larger schools, to schools that had more than ten or fifteen. Suppose you had £60,000 to distribute, which is a large sum to begin with, would you allow more than £50 to the larger schools?—I would commence with a small number; I would not have 800 schools at first.

7797. You would require a very large board of examiners to give these certificates?—I can only say I am not original in the idea that teachers should be examined.

7798. Professor DOUGHERTY.—That is Mr. Matthew Arnold's idea?—Yes, and it is adopted on the continent. So many people of one denomination or another are teaching who are not competent to teach, that I would be very glad there was some barrier to their entering in the matter.

7799. Rev. Dr. MOLLOY.—If you required, at present, an examination in order to enable people to teach, there are a very large number of people actually teaching who would fail to get that certificate. Was not that your idea, that a great number of people are teaching who are not qualified to teach?—I ought to qualify that.

7800. If you required from them a certificate, the result would be that the number of your teachers would probably be reduced to one-half and the first step towards promoting education in Ireland would be to extinguish half of the teachers?—What I did say was, I am aware of persons taking up some subjects who are not competent to teach them and in order to get an end to that in future, and I only referred to the endowment, I did not propose to disfranchise any existing teacher, but that a party should qualify for an endowment by passing an examination; and if any board or commission was in a position to give £50 a year to 100 or fifty schools I would give it only where the teacher employed satisfied some competent tribunal as to his fitness for teaching.

7801. You have a great objection to the present system of giving prizes to boys?—In that I disclaim all originality.

7802. But you have the objection?—I am merely following Mr. Arnold and others.

7803. One ground was the strain upon the boys?—Yes.

7804. And a part of your scheme is to give £50 to a school for the success of two boys, to be tested by examination?—Yes.

7805. Therefore, your scheme is open to the same objection?—These would be prizes, and not examinations. A mere jog-trot examination in a lower standard, it would be a very easy business.

7806. You would give £50 to a school that produced two boys able to get through a more pass examination?—And I would give honorary certificates.

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Lafayette, Esq.
H. B.

7807. Professor Doughterty.—Why do you say two boys?—If you start a school with ten or twelve boys, you cannot get probably more than two or three that would be able to pass a reasonable examination, I don't mean one too easy, or one levelled up to the height of the Civil Service examination, I mean a reasonably fair one, and I say that you might not get more than two or three boys that would be able to pass such an examination as that.

7808. Would not your plan put a premium upon the head master concentrating his attention on the two boys?—It would, and the present system puts a premium on the head master devoting his attention to smart boys.

7809. Then it appears to me your scheme would intensify that evil?—There is no other way in which you can obviate the denominational difficulty.

7810. Rev. Dr. Molloy.—You might say you see no other way?—Well, I mean that.

7811. Professor Doughterty.—Why do you put so much importance on Latin and Greek? would you value Greek as highly as German or French?—German and French are merely the offspring of Greek and Latin.

7812. I am talking of turning out boys for practical life—do you think that in a University French or German would not be better than Greek?—You ought value education for its own sake, not for the shillings and pence it brings.

7813. If the poor boys learn Greek and Latin it will be no manner of use to them in life?—I suppose that they will intend to go into a University, where they have real teaching and education, and work their way through it. I say that they should drink deeply of both these subjects, being the fountain source of all literature. German and French are merely offshoots of the great Latin stem, so to speak, and to confine them to those languages is merely to drink of a minor stream.

7814. And you don't think Universities exist for the purpose of manufacturing what your friend Mr. Arnold would call Philistines?—No, I don't think they exist for the purpose of carrying on mere examinations.

7815. You are aware that Ireland is the most "homonised" country in the world. I am afraid your plan does not hold out the prospect of any relief to our distressed country in this respect. You wish to establish a roving commission to settle the sites of 800 schools, and to examine the masters?—In other countries you have got what corresponds to the commission.

7816. Rev. Dr. Molloy.—You commenced by denouncing the present system of examinations, and you propose yourself to establish two new boards of examiners, one to examine the teachers, and another the boys in the schools?—I don't see how the denominational difficulty is to be got over except by going through some form of results system.

7817. I don't at all object to some form of examination, but it appears to me that beginning your state by denouncing examinations you end by increasing examinations enormously?—There must be some test, and by doing away with most of the prizes and exhibitions, I should diminish what I consider the evil, but I don't think it is an evil which can be got rid of entirely.

7818. Again you commenced by denouncing rewards and exhibitions, and your system proposes to give

£25 each for two boys in each school; the only difference between your system and the existing system, being that in the existing system the prizes are given for distinguished boys, in the system you propose the prizes are given for two boys who are simply to pass a qualifying examination?—That should be done, because if you continued to give them to the distinguished boys you would not be able to endow your local schools, and if you want to give endowments in these localities, you must adopt one of two courses.

7819. One of the evils you deprecate is that the present system of the Intermediate Board does not give sufficient encouragement to general education, and the schools you think are injured by that system. Now the Intermediate Board gives results first to a master in proportion to the number of boys that pass certain definite examinations from his school. Therefore it gives a direct encouragement to every master to attend not merely to distinguished boys, but to the average boys, in order to obtain as large a number as possible who will pass that examination. You give the whole of your endowment, £40,000 a year, as compared with £20,000 of the Intermediate Board, simply for the production of two boys in each school. And therefore, as Professor Doughterty has mentioned, you offer a positive pecuniary inducement to every master to confine his efforts at least as far as may be necessary, to the production of two boys who are to be brought up to the standard of a mere pass examination. It appears to me that such a system would lower the standard of education throughout the country?—It would lower the number of examinations.

7820. It produces a larger number of examinations, far less searching and effective?—It cannot produce a large number of examinations.

7821. In addition to all the examinations at present existing you establish two new systems of examinations. Do you propose to abolish the Intermediate Board?—I should hope so.

7822. Dr. Traill.—You propose to substitute this for the Intermediate Board?—Yes.

Rev. Dr. Molloy.—Well, I think we are entirely with you in the main principle you have been advocating, namely that it is desirable to make the endowments for intermediate education available not merely for great and distinguished schools established in a few localities, but to bring home those endowments to small centres throughout the country as far as it may be found possible to do so. But considering the small amount of endowments at our disposal, I fear we shall find it very difficult to carry out such a scheme as yours for small schools, if we are also to assist the large schools according to their needs and deserts. If, upon reflection, any new views occur to you which would help us to get over this difficulty, we shall be very glad if you will communicate them to us in writing. We are very much obliged to you for taking the trouble to come up here and lay your views before us.

Professor Doughterty.—It would help us greatly in giving effect to your wishes and our views if you would point out any quarter where £40,000 might be obtained.

Dr. Lagdon.—I am suggesting that you should begin with your own fund tentatively, and then you could get more.

The inquiry then adjourned.

June 7, 1886.

MONDAY, JUNE 7TH, 1886.

At the Office, 25, Nassau-street.

Present:—Rev. GERALD MOLLOY, D.D., D.S.O., F.R.U.I., ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D., and Professor DOUGHERTY, M.A.

The Assistant Secretary, N. D. MURPHY, Junior, Esq., was in attendance.

SAINT PATRICK'S CATHEDRAL GRAMMAR SCHOOL.

St. Patrick's
Cathedral
Grammar
School.

Very Rev. the Dean of St. Patrick's and Very Rev. the Dean of the Chapel Royal, appear on behalf of the Governing Body, and claim that the endowment is exempt from the jurisdiction of the Commission.

7823. Rev. Dr. MOLLOY.—Have you any endowment?

Dean West.—No, we collect from the public in our disendowed state.

Dean Dickinson.—There is no endowment, legacy, or bequest, and no funds whatever, except what is subscribed by members connected with the Church and the offertories of the cathedral, and it is exclusively under the management of the authorities of the cathedral. So that it is as clearly exempt as anything can be.

7824. Rev. Dr. MOLLOY.—You have a building?

Dean Dickinson.—Yes, it was built by private subscriptions in 1870.

Dean West.—I granted the ground for the building.

7825. Rev. Dr. MOLLOY.—You exist under a charter of 1555?

Dean West.—No; it was the Endowed Grammar School that existed under that charter.

Dean Dickinson.—From the foundation of the

cathedral, there was a choristers' school connected with the cathedral, and that has been carried on?

7826. Dr. TRAILL.—This grammar school was in all respects identical with the choristers' school, but the distinctiveness of the two schools was always marked by separate payments?

Dean Dickinson.—It is not properly speaking a grammar school, it is strictly speaking a choristers' school.

7827. Professor DOUGHERTY.—Could Knight's endowment be utilized in any way in connexion with this school?

Dean Dickinson.—Yes, the original scheme we proposed was that it should be amalgamated with this school, and you have that for consideration under the head of Knight's school.

7828. Dr. TRAILL.—Is 39 Upper Kevin-street, the name of the place where you gave the ground?

Dean West.—39, 40, 41, were the proper numbers of the Deanery premises.

Dean West.

Dean West sworn.

7829. Dr. TRAILL.—Have you prepared the 'statement (produced)'?—Yes.

7830. And it is true in every respect and particular?—Yes.

7831. Rev. Dr. MOLLOY.—You brought in a scheme, Mr. Dean, for Knight's school?

Dean Dickinson.—Yes.

7832. Rev. Dr. MOLLOY.—In that scheme you proposed to deal with this school not in before us now, and if you wish us to accept your scheme for Knight's school, you must get for us the written consent of the governors of St. Patrick's Grammar School.

Dean Dickinson.—The governors of Knight's School are identical with the governors of the Cathedral Grammar School, they are the *ex-officio* members of the Cathedral Board, Dean, Precentor, and Chancellor.

7833. Rev. Dr. MOLLOY.—In proposing this scheme for Knight's school, the governors give us their consent to deal with the school now before us?

Dean Dickinson.—Yes.

7834. Although it is exempt?—Yes.

7835. I think as a matter of fact it might be convenient if you would send us in a consent in writing of the governors of St. Patrick's Grammar School to deal with it.

Dean Dickinson.—We supposed, in proposing the amalgamation of Knight's school that the jurisdiction of the Commission would be rather over that portion of the endowment that was Knight's than the whole of it. Of course if it was understood that the jurisdiction of the Commission would be only extended to a recognition of our position, and of the amalgamation of the schools, and the requirements

of inspection, and so forth, there would be no difficulty, but if that were to involve any supposed right in the Commissioners or claim to interfere with the management of the choristers' school, we should not like to pay that price.

Dr. TRAILL.—The Commissioners have already declared in similar cases, that whenever an endowment is declared to be exempt, in carrying out a voluntary scheme afterwards the denominational character of the endowment would be preserved.

7836. Professor DOUGHERTY.—But in this case you are bringing in a school that has no endowment for the purpose of having an endowment attached to it. I am afraid therefore the previous ruling of the Commission would hardly apply. We should hold ourselves free to deal with the endowment as the evidence might justify.

Dean Dickinson.—The governors are prepared to accept the endowment of Knight's school, in supplement of our income, coupled with all the conditions mentioned in our scheme.

7837. Rev. Dr. MOLLOY.—I think it would meet your object, Mr. Dean, if you sent in a statement of this kind, that the governors of St. Patrick's Grammar School give their consent to the Commissioners dealing with it in accordance with the proposal made in the scheme submitted to us for Knight's school. That will limit your consent to our dealing with St. Patrick's Grammar School, in connexion with this scheme, but not otherwise.

Dean Dickinson.—I quite understand that, and we will get you that consent.

Rev. Dr. MOLLOY.—There is no doubt that you are exempt entirely.

INFANT SCHOOL, TRINITY-PLACE.

Mr. Binden Scott appears on behalf of the Governing Body and claims that the endowment is exempt from the Act.

Binden Scott, Esq., sworn.

7838. Dr. TRAILL.—Do you claim exemption on the ground of the governing body being restricted to one denomination, and that the endowment is applicable only to children of one denomination; there are fifteen Roman Catholics in the returns of this school?—I claim exemption on the grounds No. 2 and No. 6.

7839. Professor DEANMAN.—Theological instruction, I am afraid, would hardly apply to the case of an infant school?—Well, perhaps not.

7840. Rev. Dr. MOLLOY.—Would you kindly tell us what your endowment is?—Miss Griffith, who originated and afterwards endowed this infant school, was a member of the then Established Church, she herself established this school and during her life was the superintendent and manager of it. She had friends with her co-operating and helping in the management of that school, one was her own sister, a Miss Charlotte Griffith. Miss Griffith, the testatrix, made her will and left a direction in the will for the continuing of this infant school, and left a sum of money for that purpose. She by her will appointed her sister, Miss Charlotte Griffith, a trustee of the fund, and of the school premises for the purposes of carrying on the school, and Miss Charlotte Griffith during her lifetime was the superintendent of the school and conducted it in the same way.

7841. Whom did she leave trustees?—Miss Charlotte Griffith was appointed trustee and there was a power in the will for appointing new trustees.

7842. Dr. TRAILL.—Thomas Rawdon Hardy?—Yes, but Mr. Hardy predeceased Miss Charlotte Griffith. Another of the persons who were from the beginning working in this school with Miss Griffith who established it was Miss Hardy, a sister I believe of the other trustee, and on the death of Miss Charlotte Griffith, the first trustee of the school Miss Hardy then became the superintendent of the school, and she continued as such superintendent, and managed the school down to the time that the South City Market Company under the power of their Act got possession of the premises and paid for them. That terminated the particular site of the school.

7843. Rev. Dr. MOLLOY.—What did they pay?—As well as I remember, something like between £200 and £300 pounds. I have not it exactly. Then the new house was built in the Coombe where the school was transferred, and where it has been still carried on, and conducted exactly as it had been in the commencement. The primary object of the school is expressly stated in the will.

7844. She leaves the money to trustees for the use of the school, they paying the annual rent out of the interest of the aforesaid £1,000.—“I leave this money on the distinct condition that all the children attending the school shall be each day they meet instructed either orally or by reading in the scriptures of the New Testament, and should my said trustees find it impossible to carry this condition into effect then they shall be at liberty to sell my interest in the premises and establish a scriptural school in some situation where the condition can be carried out, such situation being if possible in the city of Dublin.”—The primary object was the instruction of them in the Holy Scriptures of the New Testament, they were instructed in reading and writing, and the girls in sewing, and then the primary object was instruction in the Holy Scriptures.

7845. Rev. Dr. MOLLOY.—Have you any instruction from the testatrix that the children should be children of one religious denomination?—No, we have not, sir; but she was herself, and all connected with her, were members of the one denomination.

7846. That is of the church that was at that time

established?—Yes, and accordingly the present trustees of the school are the Archbishop of Dublin, and Sir Christopher R. Leighton.

7847. Who appointed those trustees?—They were appointed under a provision in the will.

7848. Dr. TRAILL.—And in case either of the said trustees, or any trustee to be hereafter appointed shall die or decline to act, or become incapable of acting, then I desire my executors hereinafter named may appoint a new trustee or trustees in the place of him, or they, so dying or declining to act, and that the surviving trustee at all succeeding times shall nominate and appoint a new trustee in the place of my trustee so dying or declining to act, or becoming incapable of acting, and such new trustee shall have the same estate, power, and interest as if he or she had been expressly nominated by this will.” Witness.—I ought to state perhaps that the regular inspector of the school was the late Rev. Hugh Hamilton, who I believe was the Inspector of the Church Education Schools; I am not quite sure who succeeded him. The Inspector of the Church Missionary Society's schools was the regular inspector.

7849. Not the Irish Church Missions?—I mean the Church of Ireland.

7850. But the Church Education Society, and the Irish Church Mission Society are quite distinct?—Quite distinct; he was the Inspector of the Church Missionary Society.

7851. Call it Church Education Society, you say it was Mr. Hamilton who was the inspector; he was not under the Irish Church Missions?—No, I understood the Church Education Society.

7852. That is not Church Mission?—No.

7853. Rev. Dr. MOLLOY.—We have not quite finished the matter of endowment. How was the £1,000 invested?—It was originally invested in Great Northern Railway 4½ per cent. debentures which yielded £42 10s.

7854. Does it still remain invested in these debentures?—I think it still remains invested in railway debenture stock.

7855. Then you sold the premises to the South City Markets Co. for £100. Were those the premises which you held under a rent of £63 that was not demanded. In the former report it is stated that you had besides these debentures a site subject to the annual rent of £5 which was not demanded?—There are certain details; it was for that purpose I wished in the first instance an adjournment, because I am not acquainted with the details.

7856. At present probably your whole endowment is £1,000, and the £200 you received, a portion of which you have since invested in buildings?—The entire has been invested.

7857. Dr. TRAILL.—Is the school now situated in a different locality from that named in the will?—Yes, the Coombe.

7858. Rev. Dr. MOLLOY.—From the will it appears to be carefully provided that there should be scriptural instruction given to all the children attending the school, but I see no provision whatever that that scriptural instruction should be according to the tenets of any particular religious denomination: therefore so far as the will goes, *prima facie* it does not appear to support the contention that the endowment was intended to be applied exclusively to the children of one religious denomination. It appears on the face of it, so far as we can judge from the will, to be intended for the benefit of all who are willing to receive scriptural instruction?—We have some of the persons who were working the school from the commencement. Miss Hardy for instance, who herself until the sale

June 1, 1886.

Infant School,
Trinity-place.
—
Binden Scott,
esq.

June 7, 1886.
 Bishop Scott,
 esq.

of the premises to the Markets Company was the superintendent of the school, and so far as it is permissible to give evidence of the object and purpose of the school, we can do that.

7852. **Dr. TRAILL.**—Have you had children of various denominations in the school?—We have, the school was a gratuitous school, and we never refuse any children. It was plainly the intention of the testatrix that the endowment should be applicable for the benefit of persons of various religious denominations.

7850. **Rev. Dr. MOLLOY.**—I find in the report of 1880, that there were sixty children on the roll, with an average attendance of thirty, and of these sixty there were forty-five who are put down as Church of Ireland, and fifteen Roman Catholics!—Although it is not mentioned in the will, the children were always taught the church catechism as well as the Holy Scriptures.

7851. You wish to get an adjournment on the ground that you are not fully cognizant of the circumstances of the case?—If you please, for instance I have not been in communication with the trustees.

Dr. TRAILL.—I think you should understand that we are bound to carry out the intentions of the founder, and anything that sacrificed the Scriptural character of your school, would not be allowed into any scheme; you are not to be necessarily alarmed because it appears to be within the Act.

7852. **Professor DOUGHERTY.**—We are bound to carry out the spirit of the founder's intentions rather than the exact letter.

Mr. B. Scott.—In that case you will have to receive the evidence of the spirit of the founder.

Rev. Canon MARBLE.—I can throw a little light on this endowment, inasmuch as the school was offered to me in my parish. Miss Hardy wrote to me on the death of Miss Oriffish, to say that if we could

take up this school, it should be under me in St. Andrew's parish, but it was on the condition that the principles of the Church Education Society should be adopted. I said I was quite willing, that my own school was under it, and I was quite willing to do so. But, said she—"How would you guarantee that after your death the same principles will be carried out?" And of course both she and I saw that after my death I could not guarantee anything of the kind, and they broke off the treaty then with reference to giving the endowment to St. Andrew's parish. I mention this because it throws a light upon what the intention of the founder was.

7853. **Rev. Dr. MOLLOY.**—All we can say at present is that the provisions of the will are that Scriptural instruction should be given in the school, and this provision must be respected, but we see no evidence at present that the Scriptural instruction was to be confined exclusively to the Scriptural instruction of children in a particular religious denomination.

Rev. Mr. Fish.—I think you will find in one of the returns that the church catechism was taught regularly in the school.

Rev. Dr. MOLLOY.—Yes, the return states that, but it states a little more, it states the church catechism was taught to Church children which implies that it was not taught to other children; that tells rather the other way.

Dr. TRAILL.—If there was a scheme framed to put all the parochial endowments of the city of Dublin under church management, would your trustees be likely to amalgamate with others under such a scheme? I know there is a difficulty between those that are worked under Church Educational principles, and those under National Board principles; you can cut that about in your mind to see if you could frame a scheme on such a basis.

ST. ANDREW'S PAROCHIAL SCHOOLS.

Canon Marble sworn.

St. Andrew's
 Parochial
 Schools.

Canon
 Marble.

7854. **Rev. Dr. MOLLOY.**—I dare say you claim exemption—I do.

7855. Would you just take the grounds on which you claim exemption?—We have three endowments, one is a bequest of Robert, Earl of Kildare, for the use of the poor boys and girls of the said schools, £300; another is £300 bequeathed by Charles Powell, Esq., to be laid out on interest by the minister and churchwardens of the said parish with the consent of his executor, the survivor or survivors of them, and the heirs of such survivor.

7856. **Dr. TRAILL.**—Who were the trustees under the Earl of Kildare's will?—The minister and churchwardens get possession of the money, and invested it in land. This (produced) is a copy of the schedule, dated 27th March, 1753, attached to an indenture of the above date, which we have in the vestry room.

7857. **Rev. Dr. MOLLOY.**—Does it say whom the Earl of Kildare left as trustees?—No. "With the approbation of one of the Masters of the High Court of Chancery on this trust and confidence that they, the minister and churchwardens for the time being, do yearly and for ever put out apprentices two boys and girls, or one boy and one girl, of the charity boys and girls of the said parish to trades. The boys to be brought up and instructed in the art of tillage or husbandry, and the girls as so to make them good and useful servants. And in case that at any time hereafter there be no charity boys or girls, or that such charity of keeping boys and girls in the said parish shall cease, then directing that the interest or produce be applied yearly by the said minister and churchwardens in putting out as apprentices the like number of boys or girls of poor denoted Protestants, housekeepers within the said parish, such boys or girls to be approved of by the executors or the survivor, or survivors of them, or the heirs of such survivor, and the masters and

mistresses to whom they shall be so put out to be Protestants." That is a copy from the said schedule, and I certify at the back that it is correctly copied.

7858. **Dr. TRAILL.**—Have you Travers' will?—I have nothing but that.

7859. And then there is the will of James Scrimgeour?—Oh, I have two other bequests, one is Cranfield's bequest, and the other Southwell's. Cranfield's bequest "I give, devise and bequeath to the parish school of St. Andrew's 23 per annum for ever," that is £2 15s. 4d. British currency. And I certify that is a correct copy of the will. The third bequest is Southwell's, £1 2s. 2d., received annually from the churchwardens of St. Werburgh's parish, Dublin, for St. Andrew's parish school. You have had that bequest before you in several other parishes, so I did not look into the particulars.

7870. **Professor DOUGHERTY.**—I see in the report of 1858 it is stated that the Cranfield bequest has ceased to be paid owing to the determination of the interest in the property on which the same was charged?—I receive it every year.

7871. **Dr. TRAILL.**—Who pays it to you?—It is paid by Mr. Richard Croker-King.

7872. **Rev. Dr. MOLLOY.**—Then you have a site in Wicklow-street?—We have done with Wicklow-street, we have built a new schoolhouse and parochial hall, we were very glad to give up Wicklow-street.

7873. **Dr. TRAILL.**—Did you sell it?—We did for £300.

7874. How much did you lay out on the new building?—£1,450.

7875. Where are the new schools?—Behind the church on the church grounds.

7876. **Rev. Dr. MOLLOY.**—Are all these endowments now vested in the same person?—The churchwardens give the receipt for the two sums of £300

and 2100. I give the receipt for Cranfield's bequest, and also a receipt for Southwell's bequest.

1787. Dr. TRAILL.—You have no account of Dr. Travers' bequest in 1737?—I never heard of it.

1788. In the report of 1856 it is stated that 2475 St. lid. was received for the use of the school from Catharine Travers and John Roberts, co-nestors of Dr. Travers. In 1833 Joseph Goff left some money?—I never heard of it.

1789. Professor DOUGHERTY.—Have you a building known as Shakespeare's Gallery?—Not now, that was in Wicklowstreet, that has been given up.

1790. Dr. TRAILL.—Have you any evidence to show the state of the school in 1735, when the Earl of Kildare bequeathed the money. The words don't appear to limit it to any denomination except the words "and schools," were the schools in any way limited in 1735. Have you any evidence to show whether at that time the boys and girls in that school were limited in any way to church children?—I have no evidence.

1791. Rev. Dr. MOLLOY.—Was it a parochial school at that time?—It has always been a parochial school. The stone in the wall of the Wicklowstreet house is dated 1735 calling it a charity school, but it does not specify more than that.

1792. Dr. TRAILL.—Was it a boarding-school or a day school?—It was a day school, I don't know whether there were any boarders there.

1793. Have you any reason to suppose they were limited to church children?—I cannot say.

1794. Professor DOUGHERTY.—Are these extracts from the will?—There are extracts from leases in our vestryroom, and there is a schedule attached to one of the old leases which I have copied here.

1795. Dr. TRAILL.—Could you bring that document here?—Yes, in five minutes.

1796. Rev. Dr. MOLLOY.—Do you still hold this Fitzgibbon estate?—Yes; the money was invested, together with other money left for charities in the Fitzgibbon estate.

1797. Professor DOUGHERTY.—How do you divide the money as between the almshouses and schools?—We don't divide them, we pay them into the parochial fund, and the schools and charities are supported out of it. The schools cost more than the portion that comes to us and we have to make up the difference by collections.

1798. Dr. TRAILL.—Have you got Lord Kildare's own will, or is it an extract only from the minute books?—I have seen Lord Kildare's will, "it is for the use of the poor boys and girls of St. Andrew's parish, Dublin," that is all it states.

1799. In the provision for apprenticing the children of poor decayed Protestants, do you contend that the

word "Protestant" in that ancient church children?—I should say so decidedly.

1800. It would not have been left to the minister and churchwardens unless it was intended for these children?—To secure that, I should say; and it even specifies that the masters should be Protestants to whom the children were bound.

1801. Rev. Dr. MOLLOY.—We have always a difficulty in deciding that an endowment is intended for one religious denomination only from the fact that it is left exclusively for Protestants, because we hold that there are several denominations of Protestants, but, at the same time, when it is left to be administered by such a body as the churchwardens and parish clergyman, that is accepted as *prima facie* evidence that it was intended for the members of the church that has a parish minister and churchwardens.

Canon Marvale.—That is what I believe all these endowments are.

1802. I think it would be most convenient if we allowed this case to stand over to be considered by the full body of Commissioners, along with the other parochial schools which are similarly circumstanced, and on which a formal decision has not yet been given. You may be quite sure that whatever the decision of the Commission may be, the original provisions of the wills under which you have your endowment, must be respected. In the meantime will you get us the extract from the will of Lord Kildare?—I have the extract here that I made myself. It was a will of 1743, and the sum is £500, and the words were as I have said, "for the use of the poor boys and girls of St. Andrew's parish, Dublin." I paid my shilling, and got this information, and I certify that that is correct.

1803. Dr. TRAILL.—I think you may rely upon this that the only question appears to be not as regards the governing body, but as regards the applicability to the poor generally, that even if it were considered it was within the Act, and not limited to the children of the church, that would not in any way imperil your control, though it might be under the Act in one part of its clause, the exclusive government would be preserved.

Canon Marvale.—We wish to preserve the present government.

1804. Rev. Dr. MOLLOY.—Are all the children of the school members of one religious denomination?—There are two Baptists, and all the rest Church children.

1805. Dr. TRAILL.—There were four Roman Catholics in the report of 1853?—There are no Roman Catholics there now. The attendance at the school is increasing lately, we now have sixty on the roll.

1806. And the average attendance?—The mistress says forty-five, but I counted forty-six.

ST. ANN'S PAROCHIAL SCHOOLS.

Very Rev. Dean Dickinson, Vice, sworn.

1797. Rev. Dr. MOLLOY.—You appear in this case, Mr. Dean?—Yes, these are the buildings of St. Ann's schools. These schools were built in 1637, and opened in 1638, and they were built, as this report in my hand shows, by subscriptions collected personally by myself. The site was purchased, as I mentioned in my evidence before, out of a sum of money that had been saved up from the offertory by my predecessor, Dean West, he was not my immediate predecessor, but was formerly Vicar of St. Ann's; and he had laid by money from the offertory; at that time there were not so many demands on it.

1798. Dr. TRAILL.—It is entirely a church endowment?—Entirely a church endowment, and every farthing of the money by which it was built was collected by myself personally, as this report shows, about £1,500.

1799. Do you consider that your schools have been

enlarged with the Ralph Macklin schools as mentioned in the report?—Temporarily associated, and not an amalgamation strictly speaking; we gave them a lease of the premises for twenty years at 1s. a year, with a grant of £150 out of such parochial funds as might be placed at our disposal, on condition of the free education of poor children of St. Ann's parish. Our contract being only, "out of such parochial funds as might be at our disposal;" as soon as the parishioners became aware of the existence of a better school in an adjoining street, they became simultaneously aware of the non-necessity of continuing their subscriptions.

1800. Professor DOUGHERTY.—The parochial schools of St. Ann's were not always dependent on voluntary subscriptions. You appear to have had a small endowment. For example, I see here in the report of 1856 the present endowments of this school

June 3, 1866.

Canon Marvale.

St. Ann's Parochial Schools.

Very Rev. Dean Dickinson.

June 7, 1905.

Very Rev.
Dean
Dickson.

include a sum of £1,150, Government 3 per cent. stock?—I think there was a legacy, not to the schools but to the Vicar and Churchwardens of the parish generally, from Mr. Cane a great many years ago.

7901. Was this applied to the building of the school?—Yes, there was, I think, about £300 or £400 of Mr. Cane's money applied to the purchase of a site, and the balance, £500 or £600, was the result of the savings of my predecessor from the offertory. At that time there was a boarding school down in the lanes.

7902. Are we to understand that all this money is spent?—Yes, all this money was spent in the purchase of the plot of ground on which the new school stands. The governors were obliged to expend £450 towards the erection of the building in addition to the amount raised by the special subscription, £550, in all £1,000, or the whole of the money that was in the hands of the parish, and besides that, I collected £1,500 more.

7903. I see here in addition to the income derived from Cane's charity, the school received for many years the dividend on between £600 and £700, invested in Government 3 per cent., and producing last year £19?—That was exactly the £600 that Dean West had accumulated out of the Sunday offertories, those offertories were much better then than they are now.

7904. Rev. Dr. MOLLAT.—Do you still get the Southwell bequest?—It is a small thing, £1 odd, and we have great trouble to get it.

7905. What is your rent now from the Widows' Almshouses?—That was in very ancient times, we don't pay £20 now; when circumstances changed we ceased to pay that altogether; it is a free widows' house.

7906. Professor DOUGHERTY.—Still the schoolhouse belongs to the educational endowments of the parish?—It is a very tumble down old house, it would cost us a great deal to repair it.

7907. Dr. TRAILL.—Have you any ideas about the future use of this school?—My idea was that if you thought it was the wisest thing, as I do myself, to utilize the Ralph Macklin endowment by transferring it to the Kildare-street schools, or St. Werburgh's parish, where they are very willing to have it, and where they have a school in the present part of the city—then I thought that besides keeping our premises for a Sunday school, which we would still require, it would be a very good thing to use it as a technical school, which is very much wanted in that neighbourhood, especially for teaching cookery. You know they are going to set up a technical school for men in Kevin-street, and I thought we might use our schoolhouse as a technical school for girls.

7908. Connected with your own parish?—No, for any person who might come there, and quite disinterested of all religious conditions. But my point in my letter to the Commissioners was that this was rather a parochial endowment than an educational endowment. Because as it was built out of money not appropriated to the school, but out of parish subscriptions, my point was it was within the option of the parish, if they pleased, just as if they had bought a house in Dawson-street, to use it for a school for some years, and if a school became unnecessary it would revert to the parish, and could be used in any way they pleased. For instance, I hold it to be optional with the parish, if it was suitable for it, to turn the school into a clergy house.

7909. Rev. Dr. MOLLAT.—It was never irrevocably appropriated to purposes of education by the parish, but simply used for such purposes at their discretion?—Exactly so.

7910. It is still within their power to apply it to other purposes?—Yes, but not their intention.

7911. Professor DOUGHERTY.—At the same time you must remember that a considerable educational endowment has disappeared in the parish, a sum of £500, allocated by Richard Cane's trustees?—That would depend upon the terms of the trust. I understand it was to the vicar and churchwardens for the

time being, and not a special educational trust, I don't think there was a specific bequest to St. Anne's. At that time we had a boarding school, and when the Industrial Schools Act was passed, I thought it was a waste of resources trying to keep up a school in Dublin, when there were other schools outside much better.

7912. Dr. TRAILL.—If your endowment consists of voluntary contributions, it would be exempt under the Act?—That is what I maintain, it is built out of the accumulated offertory, and special subscriptions.

7913. Was the legacy of Mr. Cane entirely used upon the site?—Yes. £450 was paid to Mr. Mayne. He bought the site, which was a lot of old houses, under the Encumbered Estates Court, intending to build, and then he found he did not want to build, and we bought the estate for £450.

7914. Professor DOUGHERTY.—I see you also had a bequest from Joseph Goff, of £50, in 1833?—I never heard of it, what was it left for?

7915. For the school, and about half a century ago Bartholomew Mahon left £300. No trace of that was found?—Perhaps that was left for the benefit of the school, and used as income.

7916. Would you consider it possible and expedient to frame some scheme for the joint management of the parochial educational endowments of the city of Dublin?—Yes, I think it would be a very desirable thing to have the Diocesan Council or some other body of that sort incorporated for the management.

7917. Dr. TRAILL.—How would you like the body that might be incorporated for the government of the Training College, suppose it was a body selected by the General Synod; if we did incorporate a body of that sort, would it not be a sufficiently good kind of representative body to vest a large quantity of these endowments in?—I suppose it might work if the local managers were still under this body, but I am afraid a big central body could hardly conduct the supervision practically as a local committee.

7918. I refer rather to the administration of the endowment than the management of the schools?—I think that would be a good thing either that or the Diocesan Council.

7919. Professor DOUGHERTY.—Don't you think some provision should be made by which in the future it would be possible to adjust these parochial educational endowments to the shifting necessities of the Protestant population?—Exactly, and the Ralph Macklin school is an instance in point, because if there was such a managing body they would say "It is not wanted here, and we will transfer it from where it is." For instance, St. Werburgh's, St. John's, and St. Andrew's have been grouped. I wanted to group them with St. Andrew's in order that they might keep up an efficient school, but Dr. Marable would not join, because he thought I was in favour of the National Board, and he was not.

7920. Dr. TRAILL.—That is the difficulty all over the town, but still it might be possible to put all the endowments under one body?—That would be a very good thing, but I respectfully submit that they are exempt—being built out of accumulated subscriptions.

7921. Rev. Dr. MOLLAT.—I think we have no difficulty in declaring that you are exempt, Mr. Dean, but if there were any general scheme afterwards proposed for the administration of parochial schools, possibly we might obtain your consent?—Certainly, I quite agree with you about that, that some central system should be adopted.

7922. Do you think the Ralph Macklin endowment be best applied by transferring it to St. Werburgh's?—I think it could be most usefully expended there. There was a scheme drawn up by myself when that transfer was approved of by the governors, but the Ralph Macklin trustees did not want the rector to have anything to do with the management.

7923. Are you satisfied your parish would suffer no

educational loss by that transfer?—I am satisfied it would gain by it, because the best school in the parish is the Kildare-street school.

7924. Dr. TRAILL.—Suppose that in framing any arrangement with the Bishop Macklin schools while giving them power to move to St. Werburgh's we made a provision that while they remained in St. Ann's you yourself should be upon the governing body, which I myself believe you ought to be by the wording of Ralph Macklin's will, and that you were made manager under the National Board so long as that school was in your parish, would you work the school on that basis?—Of course, I would work any school, and do the best I could.

7925. That is talking of the next eleven years?—No, it is seven years.

7926. That is not a permanent arrangement, and at the end of the seven years you will have the Ralph Macklin schools turned out of their premises with an income of £300 a year. If you were to be on the governing body and made manager of the school all that difficulty of expulsion would not arise?—It would, because the parishioners don't want the schools.

7927. Professor DONAGHNEY.—I understand your contention is that the schools are not wanted for the parish?—The present Salvat Ventry are determined to serve them with a notice to quit as soon as possible on account of the non-necessity of the schools since Kildare-place was opened, and then also if our premises are to be used for technical education the seven years would stand as a barrier to such utilization, so that their removal is in the interest of education.

7928. Dr. TRAILL.—Don't you think the children of your parish would get better instruction, not being in such very large numbers as in Kildare-street, as compared with the accommodation of that school?—It is not the children of my parish who are getting that education.

7929. Suppose they were the children getting the education?—They might have more minute attention, but I hold the education given in the other is better, and it seems to me it is a waste of public money.

Dean DICKINSON.—At the end of seven years the present lease of the premises will be at an end, and they will have to look out then for premises to carry on their school.

Nov. 7, 1895.

Very Res.
Dean
Dickinson.

ST. MICHAEL'S NATIONAL SCHOOLS, ANNE-STREET.

Very Rev. Archbishop McManis sworn.

St. Michael's
National
Schools,
Anne-street.

7930. Rev. Dr. MOLLOY.—Do you claim exemption for your schools?—Yes.

7931. On the ground that the endowment is intended only for the Roman Catholic children of the parish?—So I think.

7932. And it is administered entirely by Roman Catholics?—Yes.

7933. What is the origin of your endowment?—Some bequest I am told, I never saw the will; some person named Brady left a bequest upwards of forty years ago, and out of that we built the school.

7934. In whom is the property at present vested?—The Archbishop, one of the Vicars-General, and myself.

7935. Do you know how it came to be invested?—Some of my predecessors with what remained after building the school invested it in funds.

7936. I and by the report of 1880 that the original document giving you this endowment could not at that time be discovered?—I never saw it, and I inquired of Mr. Gorman of the Charitable Bequests Board, who asked me to make out particulars for search, which I neglected. He did not refuse me, and could not get it from him.

7937. As a matter of fact you are not acquainted with the document under which you hold your endowment?—I am not.

7938. And the fact is that the endowment at present is vested in the Catholic Archbishop of Dublin, one of the Vicars-General, and the parish priest?—Yes.

7939. Is it so to continue?—Yes, I should think so.

7940. Are the children of your school exclusively Catholics?—Exclusively, I don't think there is an exception.

7941. It is a National school?—Yes, boys and girls, and infants. The girls' school is under the care of the Presentation nuns.

7942. What is the total income from your endowment?—The interest on the sum invested in Government Stock, and occasional bequests and subscriptions or donations from a charity sermon; there is also one annuity of £100.

7943. What is your income from the Government Stock?—About £30 a year.

7944. Representing £1,000?—Yes, it is more than £1,157 just now. There has been £100 added to it since that was taken.

7945. Dr. TRAILL.—Are you in the same building still on which the money of Miss Amelia Brady was originally invested?—Yes.

7946. £3,000 of her money appears to have been invested in the buildings?—I think so.

7947. Rev. Dr. MOLLOY.—What does your charity sermon produce?—£50 at the most.

7948. Altogether your endowment does not exceed £120 a year?—Not more—about £120. There is £250 that we borrowed for the purpose of the church some years ago, allowing the same interest as they would get for it in the bank.

7949. Professor DONAGHNEY.—Is that money the produce of six Ulster Bank shares, referred to in the earlier reports?—No, I never heard of those shares at all.

7950. Rev. Dr. MOLLOY.—£150 is stated to have been lent by the trustees to the Roman Catholic Church without security, and bearing the annual interest of £7 10s. 1?—Precisely.

7951. How do you expend your income?—I give half the income of the charity sermon or more to the Nuns, for the female school, and then the rest is divided between the teachers, giving so much to each according to their position.

7952. Do you know what your teachers get from the National Board?—According to their classification. There are four rooms, and four distinct schools in the same building; there were five, but two were amalgamated.

7953. You distribute your endowment between them to supplement the money they get from the National Board?—Yes, the master so much, the assistant so much, then the second class teachers so much. I divided it among them all.

7954. Dr. TRAILL.—Have you got the will of Amelia Brady?—I never saw it. Of course it is in existence, for it was proved in 1834, however it appears to have been described already, it says the bequest was given for the erection of one or more schoolhouse for the education of poor Roman Catholic children.

Rev. Dr. MOLLOY.—I think we may declare you exempt.

Very Rev
Archbishop
McManis.

June 7, 1892.

St. Michael's
Parochial
Schools.Rev Thomas
Lang.

ST. MICHAEL'S PAROCHIAL SCHOOLS.

Rev. Thomas Lang sworn.

1755. Rev. Dr. MOLLOY.—Do you claim exemption?
—Yes, I sent in all the information I could long ago about it.

1756. Have you any endowment?—Only £1 2s. 2d. a year, the Southwell bequest, and Crosbie's charity, which several other parishes get besides.

1757. Dr. TRAILL.—And Cove's charity of £1,000 was invested in buildings apparently?—I did not hear anything about that, the schools were built in the churchyard by Dr. Stanford.

1758. Professor DOUGHERTY.—That was built by the Board of Erasmus Smith?—No, I think by Dr. Stanford.

1759. Have you an Erasmus Smith school in the parish?—No. I got a grant from the governors still.

1760. Is the school called the Erasmus Smith English Boys' School?—No.

1761. It appears so in the report of 1858?—No, St. Michael's Parochial School, the new part of the schoolhouse was built in 1846 by Dr. Stanford, it is written up over the door.

1762. Is that a former Doctor?—Yes.

1763. Dr. TRAILL.—You have no claim on that Erasmus Smith endowment, they can withdraw it at any moment?—Of course they can, I hope they won't.

1764. They have withdrawn it all over the North of Ireland. You have no deed or document binding them?—I am afraid not.

1765. Professor DOUGHERTY.—Turning to the report of 1858 I find a bequest of £50 from G. Campbell in 1813?—I never heard of it.

1766. And George Nugent a like sum in 1831?—I never heard of it.

1767. And then there is this famous man, Goff, whose name has been mentioned in connection with several parochial charities, and who never appears to have been heard of, another sum in 1833?—I never heard of it.

1768.—Dr. TRAILL.—The real property of the school consists of a single house or tenement in Dowry-street let to a tenant at 240 Irish?—Our own schoolhouse is there, where the master lives.

1769. Then you have no property now from which you derive a profit rent?—No. There were some houses somewhere that fell out of lease some years ago. The only endowment we have is Crosbie's charity and Erasmus Smith's.

1770. What is the nature of the Crosbie charity?—I don't know, it is in the Four Courts, several parishes have it. Miss Crosbie left us £10 a year, that is all.

1771. Rev. Dr. MOLLOY.—How much do you get from the governors of Erasmus Smith's school?—£30 or £31, and then if you call the Three per Cent. an endowment, we get £9 a year in the Bank of Ireland.

1772. Who is entitled to receive the dividends?—The Rector of the parish?—Yes, it is in my name, I get it.

1773. Dr. TRAILL.—On what authority do you get it, how are you able to go to the Bank of Ireland, and get it paid to you?—It is in my name.

1774. There must be a document authorizing them to pay it to you?—It was there before I came, the same old thing. There is £1 2s. 2d. a year, that every parish gets, it is not worth collecting.

1775. What is the original of the Three per Cent.?—We get £4 10s. a half year.

1776. Professor DOUGHERTY.—When did the school cease to be called the Erasmus Smith school?—It never was called the Erasmus Smith school since I heard of the existence of the school.

1777. It is so entitled in the report of 1858?—There seems to be some connexion between us and the Erasmus Smith Board, because they have given us a

grant, but I believe they gave grants to a good many schools.

1778. Have you no documentary evidence at all?—Not even a lease of the schoolhouse, two schools are built on the churchyard.

1779. Dr. TRAILL.—Have you any minute books of the parish?—I don't think there are any.

1780. Could you not get information from the Bank of Ireland?—I don't know whether they would give it or not.

1781. I think it would be necessary to ask the Bank of Ireland at what date this £300 was put in?—If you like I will do it.

1782. Professor DOUGHERTY.—What is your idea as to the administration of the parochial educational endowments of the city of Dublin under a joint board?—We think we had better be left to ourselves.

1783. Any well considered scheme would make due provision for guarding parochial interests, but would it not be advisable to have a board of your own denomination in which you would have confidence to manage these endowments?—I think that with regard to managing bodies the less there are managing it the better. I am always glad when our select vestry is small.

1784. We have it in evidence here that there has been great waste in connection with the educational endowments of the City of Dublin; in connection with your own parish for example three legacies of £50 each have disappeared; would it not be desirable to take measures to prevent any such dissipation of the small sums available for education in future?—I suppose it would.

1785. Moreover it is quite understood that the population is shifting and that parishes which once had a considerable Protestant population are now almost deserted by Protestants?—Yes, they have all gone out to live in the suburbs.

1786. Would it not be desirable in such a case to be able to move an educational endowment to a locality where it could be used with advantage to the poor Protestant population?

1787. Dr. TRAILL.—For instance the recent amalgamation of St. Andrew's and St. Werburgh's is working well?—Yes, I think perhaps that would be a good thing, unless it strength they say, I think if St. Paul's and ours were joined together it would be a good thing, except that we are both under different systems, St. Paul's under the National Board, and we under the Church Education Society.

1788. Is there any insuperable objection on your part to joining the National Board?—Oh, yes, I could not conscientiously join it.

1789. Rev. Dr. MOLLOY.—How many children are there in your school?—We have an average attendance of forty-one.

1790. Dr. TRAILL.—How many on the roll?—Sixty.

1791. Rev. Dr. MOLLOY.—Are you able from this endowment alone to provide education for them without any assistance from the National Board?—We don't get one penny from the National Board, but we have a sermon every year. We had a sermon last Sunday week at which we got something under £3, but I collect myself, and expect to have £80. I go round to the shops myself, and save the parish £7 10s. collection fees.

1792. Dr. TRAILL.—Do you find any objection on the part of some of your subscribers, to say that as there is public money within your reach they won't subscribe more?—They often told me that.

1793. Rev. Dr. MOLLOY.—On what ground do you decline to accept the endowment of the National Board?—I would not like to have to say to any child in a school "You must go out while the Scriptures are being read," or to tell them that the word of God was poison.

1984. In fact you would be in favour of a purely denominational school?

1985. Professor DEGENHART.—And you would wish to educate children of other denominations in your denominational principles?—If a child was in the school I would not like to turn it out because God's word was going to be read.

1986. Dr. TRAILL.—You would not force them to come in?—By every legitimate means I would, I would not like to compel them by force.

1987. Professor DEGENHART.—Have you children belonging to other denominations in attendance?—I don't think there is one.

1988. Then the difficulty you fear would not arise

under the National Board regulations?—But some day there might come a Roman Catholic child.

1989. And you think it is desirable for the sake of the hypothetical case to refuse the assistance of the National Board?—I think the principle is better still.

Rev. Dr. MOLLAY.—It appears very clear that your school is conducted upon strictly denominational principles, but we think it desirable to let it stand over for the consideration of the full Commission when we shall go into the general question of the parochial schools in Dublin. Besides, as you get a grant from the governors of Erasmus Smith's schools, your case will come under our consideration when we come to consider the question of that endowment.

June 1, 1884.

Rev. Thomas Long.

ROYAL IRISH ACADEMY OF MUSIC.—COULSON BEQUEST.

Royal Irish Academy of Music—Coulson Bequest.

8000. Rev. Dr. MOLLAY (addressing Sir Francis Brady).—Sir Francis, since the question of the Royal Irish Academy, and the Coulson Bequest was before us on a former occasion, a scheme has been lodged by the Royal Irish Academy of Music, dealing with the subject, and that scheme has come under the consideration of the Commissioners. The Commissioners have come to the conclusion that they will not proceed to prepare any draft scheme in reference to this subject while the proceedings in the Vice-Chancellor's court are in progress, but we wish before the long vacation comes to conclude the preliminary inquiry which has already been commenced, and to receive therefore such evidence as may be offered to us to-day on the part of the academy, or of the corporation, or of the musical profession. And having received that evidence, and brought the preliminary inquiry to a conclusion, we propose to take no further steps in the matter whatever, until the case now pending before the Vice-Chancellor in reference to the Coulson Bequest has been brought to a conclusion.

Sir F. Brady.—I presume that conclusion has been arrived at since your letter of the 29th May.

8001. Rev. Dr. MOLLAY.—Since that letter was written we have received an intimation that the Vice-Chancellor has postponed the proceedings in his court for a fortnight, but we have no information that he postponed the proceedings in his court with a view to enable this Commission to proceed to the settlement of a draft scheme. It appears rather that he postponed the consideration of the case with a view to enable the parties before him to consider what course they would adopt in regard to the proceedings in his court, and that being so, we don't think it desirable that this Commission should proceed with the settlement of a scheme pending the further action of the Vice-Chancellor, but we are prepared to proceed with our inquiry, and to hear whatever views may be laid before us to-day.

Mr. E. T. Grogan, G.O., for the Corporation.—It is right to say I applied to the Vice-Chancellor to postpone it to November, and he would not listen to me.

Mr. Moxell.—I appear for the Commissioners of Charitable Donations, and was about to state the object for which the adjournment was granted, and that was that the parties might consider what course we would adopt in reference to the proceeding before you, and the Vice-Chancellor distinctly refused to give an adjournment until November.

8002. Rev. Dr. MOLLAY.—We had two letters from Mr. Crox, the honorary secretary of the Royal Irish Academy of Music. The first of these letters was received on the 1st June.

"I beg to inform you that the proceedings in this case in the Vice-Chancellor's court were this day adjourned for a fortnight, on the application of counsel for the Corporation of Dublin, with a view to the resumption of the inquiry before the Commissioners of Educational Endowments."

In the second letter Mr. Crox says:—

"Referring to my letter of the 1st inst., I beg to say, that having regard to your letter to Sir Francis Brady which was read in court at the hearing of the above case, it would appear desirable before resuming the inquiry into the Academy of Music and Coulson Bequest, to ascertain clearly whether the adjournment was granted by the Vice-Chancellor with a view to giving time to proceed with the inquiry before the Commission. I understood that a difference of opinion exists with regard to the grant of the adjournment, and now write but my letter of the 1st inst. might lead to any misapprehension."

On the strength of these documents we have decided that as it is uncertain, or at least as there is a difference of opinion whether the Vice-Chancellor postponed the proceedings in his court with a view to our drawing up a draft scheme, we shall not draw up a draft scheme, or proceed to draw it up until the case before the Vice-Chancellor is brought to a conclusion. But having issued notices that we would receive evidence on the subject to-day, we see no reason why we may not continue the inquiry which has already been opened, and hear the views which may be brought before us on behalf of the Academy of Music, the Corporation, or the musical profession.

Sir Francis Brady sworn.

Sir Francis Brady.

8003. Rev. Dr. MOLLAY.—Now, will you take up the scheme first?—There are many matters of more detail which are so extremely formal that it is not worth while going into a verbal criticism of them. But on page 4, No. 11:—"Any member of the Council may resign by notifying his intention so to do in writing to the Registrar. No professor or teacher of music shall be eligible for the Council." I would say that ought to be amended. "No professor or teacher of music, unless on the teaching staff of the academy, shall be eligible for the Council." Professors of the academy should be eligible, but teachers of music not members of the academy should not be eligible. I think it is desirable that our professors, men of

great eminence, should not be excluded from taking a part in the management of the academy, but I don't think strangers whose interests may be hostile to the academy, should be allowed to take a part in the management.

8004. By professors of the academy I suppose you mean the professors who will be appointed in the newly constituted academy?—Oh, certainly, I have said "unless on the teaching staff."

8005. Dr. TRAILL.—In other schemes we rather thought that persons who were in receipt of payments should not be themselves on the governing body?—There are many reasons—the last day the inquiry was before the Commission it was mentioned that the

2 X 2

April 7, 1905.
Sir Francis
Bradley.

London Academy of Music is managed entirely by professors of music. I wrote to the secretary, and he replied that all the professors who are on the managing body are everyone on the teaching staff.

8006. Rev. Dr. MOLLOY.—What is your objection to admitting on the governing body professors of music who are not actually teachers in the academy?—Because they think their interests are at variance with, and hostile to the interests of the academy, we know that as a matter of fact. They would come, not in the capacity of members of the council to help us, but as critics finding fault with the teaching of other professors. That has been almost invariably the case.

8007. Would they not be very valuable critics of the work done by the professorial staff?—We think not. Let them criticise from their point of view outside.

8008. Do you think the opposition would be to the professors or to the students?—To the professors.

8009. Can you explain why that is the case with reference to the medical profession, when it is not the case in reference to any other literary or art profession; for example take such a board as the senate of the Royal University, would it not be considered a preposterous proposition that no person professionally engaged in teaching should be a member of the senate of the Royal University, on the ground that he would be a critic of the professors or fellows who act as examiners?—The Royal University I understand does not teach.

8010. It examines?—That is a very different matter.

8011. And criticises the work done by its fellows?—We would wish to have outside professors as examiners, and have always tried to get them.

8012. But since the governing body of the academy would appoint the examiners and professors, I cannot clearly see why there should be any objection that on that council there should be persons of professional knowledge, which would enable them to estimate the efficiency of the teaching and of the examinations?—We employ the best professors we can get.

8013. The question is not what has been done in the past by the governors of the academy which is about to be brought to an end, but how the new academy is to be constituted. I am only raising this point not in the way of objecting, but because I want to understand the subject. Why should we distrust the members of the medical profession as unsuitable persons for the governing body of an academy, the business of which is to organise a teaching staff for music?—My opinion, derived from upwards of thirty years experience, is that they are most undesirable members, it would not work well. I feel perfectly certain. Our own professors would themselves object most strongly. I would not for a moment mention music, but it might easily occur that a gentleman in Dublin engaged in teaching pianoforte or teaching singing, might very possibly consider himself a very much better teacher than the professor in the academy, and if he was put on the managing body he would do nothing but find fault.

8014. Then we may take it as your opinion, founded on long experience?—Yes, and the opinion of all our professors. I have taken some trouble in inquiring as to other musical universities in Europe, and as far as I can discover is no conservative of Europe are any of the professors on the managing body.

8015. What other points do you object to?—Well Number 12. It is intended that there should be a number of subscribing members but there is no provision for electing them, I think each member should be balloted for by the Council; that is a mere matter of detail.

8016. With reference to these subscribing members, I am anxious to ask you a question. You provide that one section of the governing body should be elected by the subscribers?—Yes, the academy section.

8017. But you make no provision as to how that section should be elected in case the subscribers entirely ceased, nor any provision as to what should be done in case the number of subscribers became exceedingly small; as the scheme stands, if there were only one subscriber they would elect one whole section of the academy?—Yes, if such an unfortunate occurrence should take place as that.

8018. It is proposed that no matter what the number of subscribers may be they should still make this right?

Mr. Baker.—It is.

8019. Rev. Dr. MOLLOY.—Even if there were only two?

Mr. Baker.—Yes.

8020. Rev. Dr. MOLLOY.—Do you consider that a good system?

Sir F. Bradley.—I cannot say it is. It might be better perhaps to accept them.

8021. Rev. Dr. MOLLOY.—Do you not think this power which is given to subscribers ought to be in some way graduated according to the number of subscribers. At present you have 100 subscribers of £1 each, and there has been a special indentment to keep the number up to that standard because your grant of £300 from the Government depends upon your having £100 of subscriptions. If this new body be constituted, and they get a large endowment like the Corkon bequest your subscribers might fall off very much; and without making an extravagant hypothesis, we may suppose they might be reduced to one-half; would it be reasonable to give the same power that you give to 100 subscribers, in the case of 50 or 30 or 25?

Sir F. Bradley.—I am not myself prejudiced in favour of any number.

8022. Dr. TRAILL.—All you want is that the property of the academy should be represented by a special body?—Yes.

8023. Rev. Dr. MOLLOY.—Now, are there any other points?—Yes, clause 35. "The income to be derived from the residue of the Corkon endowment shall be received by the council, and shall be applied by them partly in endowing one or more chairs of instrumental music in the academy to be called 'the Corkon Professorships,' and partly in establishing scholarships, exhibitions and prizes for deserving students in the academy, each of which shall be called the Corkon scholarship, exhibition or prize, respectively." I would say it should be applied in payment of professors, I am not sure that endowing chairs of music likely to degenerate into sinecures would be a good thing. I believe the Corporation are of the same opinion. Clause 38, permit me to say I don't see the use of it. I am happy to say such a thing as interference with religion has never occurred in the academy, and the mere mention of such a thing as possible strikes me as objectionable. I would suggest to omit that clause altogether. Now, with regard to No. 40.

8024. I think we should be disposed, in reference to such questions as these, to give the academy a general power to appoint their officers and fix their duties, and only take means to secure an efficient governing body?—Then, as far as I see, these are the only things that occur to me to say. The Corporation have made some suggestions, some of which I consider are right and others I do not. As to the relative proportion of the representatives of the different bodies of the Academy of Music, and the Corporation of Dublin, that is a matter that I prefer leaving to the Commissioners when they come to frame their scheme, to give what proportion they think right.

8025. In reference to the point which arose a little while ago, I think you mentioned that you did not know the case of any other academy of music or similar body in which there were professors on the governing body, not professors under the academy. I have before me the programme of the Royal College of Music established in London a few years ago, which I understand has been singularly successful in the promotion of musical education. I find on the

executive committee the name of Sir Arthur Sullivan, Mus. Doc., and he is not among the professors of the college, and also the name of John Stainer, Esq., a musical doctor. There are two outside professors on the executive committee—Professor Sullivan does not teach, as far as I know, and I don't know that Dr. Stainer teaches.

8036. But these would be examples of professional musicians on the governing body who are not themselves professors in the institution?—It does not affect my opinion in the least.

8037. Dr. TRAILL.—You would have no objection to putting them on if they lived in Dublin?—We would be very glad to see Sir Arthur Sullivan here.

8038. Rev. Dr. MOLLOY.—It gives us a precedent,

which you did not think existed?—I don't think Sir Arthur Sullivan is a teacher. I speak of what I know of the musical profession in Dublin.

8039. Rev. Dr. MOLLOY.—I understand you to say that you speak for yourself only, and not on the part of the academy, whose views you do not undertake to represent?—Well, both, taking into account that I have been intimately mixed up with the academy for years.

8040. Dr. TRAILL.—You propose to represent the academy in so far as you are not contradicted by any other members?—Yes.

8041. Rev. Dr. MOLLOY.—Perhaps, Sir Robert Stewart, you may have something to say. You have read over this scheme?—I have.

Sir Robert P. Stewart enters.

Sir Robert P. Stewart

8042. Rev. Dr. MOLLOY.—Have you any views on this subject which you would wish to lay before the Commission?—The question that you have just proposed, I must say that I don't believe it would tend to our harmony to have outside professors on our governing body. I have no other observation to make.

8043. If these outside professors were not themselves engaged in teaching music in the city, should you consider it objectionable that they should be appointed on the council of the academy?—I don't know that I have anything to say about that. I understood your question to be, would they be appointed by the Corporation.

8044. No, the scheme proposes that the musical profession should be formally excluded from all share in the governing body, and the question I raised was whether your opinion is in favour of that provision.

8045. Dr. TRAILL.—It is not exactly all share, it refers to the musical profession outside the professors in the academy.

8046. Rev. Dr. MOLLOY.—The scheme as it stands proposes to exclude the musical profession from all share in the governing body. But Sir Francis Brady proposes a modification by which he would admit on the governing body the members of the teaching staff of the Academy. Therefore we have three alternatives, either admit them on the governing body, exclude them altogether, or admit only those who are professors in the Academy.

Mr. Bealey.—I have another alternative, perhaps it is as well I should mention it, and have Sir Robert Stewart's opinion on it. What is suggested is, it would be undesirable that professors in the institution should be on the governing body, but on the other hand it is thought that the professors being the persons who have practically the entire direction of the musical education it should not be left to amateurs, no matter how distinguished, to have the control of that education, and they suggest that there should be constituted a board of studies, which should consist of such of the principal professors of the Academy as the council may from time to time appoint to that office, and that the instruction of the students should be conducted under the direction and superintendence of the board of studies. The duties of the board of studies shall be to draw up and regulate the course of studies to be pursued in the academy, and administer the same, determine the mode of examination, report to the council concerning the work of the academy, and propose to the council rules and by-laws having for their object the better management of the academy. We don't seek to take away from the council the ultimate decision, and the appointment and removal of professors, but we think that the teaching of music should be left substantially to the musical professors, or to a certain number of the most distinguished amongst them, to be selected on the council, and they should not be interfered with by the council in this.

8047. Dr. TRAILL.—Does not the appointment of the professors by the council involve that the council do themselves interfere?

Mr. Bealey.—The suggestion now is that the scheme should be altered to allow some of the professors to be on the council. It may be that something unsatisfactory would occur with reference to the work of the professors.

8048. Dr. TRAILL.—Suppose the professors came to a sort of joint stock arrangement among themselves that they would teach for one hour instead of three, what would you do under your scheme?

Mr. Bealey.—No, they are to be subject to such regulations as the council may from time to time make. The council is supreme in all cases. In any school, in the university for instance, in the medical school over the way, the medical staff would have control over the studies.

8049. Rev. Dr. MOLLOY.—I understand that what you propose on behalf of the Corporation is that there should be a board of musical studies constituted exclusively of professional men?

Mr. Bealey.—Yes.

8050. Rev. Dr. MOLLOY.—And that the council shall be bound to take their opinion as to the course of studies?

Mr. Bealey.—Yes, this body as long as it lasts is to be the body that is to prescribe and conduct the examinations. They are not to be interfered with. I would reserve absolute power to the governing body.

Sir F. Brady.—I have not had the advantage of reading this proposition of the Corporation, and if my learned friend would insert "recommend to the council," I have no objection but as it is at present constituted it would oust the Council.

Mr. Bealey.—That is not intended at all.

8051. Rev. Dr. MOLLOY.—It might be well if you would consider the action of corresponding bodies in other countries. My experience would lead me to believe that this body would strengthen the council, and give them a strong foundation of professional experience to rest upon.

Mr. F. S. Dillon.—It is to warrant the exclusion of the professional body from the governing body that we propose this scheme.

Mr. Bealey.—There are several matters in this that are matters of detail, Sir F. Brady and I could discuss them afterwards, but there are matters of principle, and one of the matters of principle is it is suggested in the powers to be given to the re-constituted academy, under the 31st sec. amongst other things to give them a right to confer the honorary diploma of the academy. We think it would give the academy a higher status if it had the power of giving a diploma, it would become a distinction, and naturally a high distinction, and musicians would seek to obtain it if they were going to be professional musicians. And then we think the professors who have got that distinction ought to be members of this constitution of the academy. And that the constitution section I should include not merely the persons there named as members but also those persons who have obtained the diploma; that I understand is the case in other kindred institutions.

June 7, 1905.

Sir Francis Brady.

June 7, 1896.

Sir Robert P.
Nesbitt.

Alderman Dillon.—It is proposed to give the regular diploma of the academy.

8043. Professor DOUGHERTY.—On an examination of Alderman Dillon.—Yes, and an honorary diploma in addition.

Mr. Brady.—The ordinary diploma should be members of the next section, "diplomates, members, and subscribing members."

Alderman
Dillon.

Alderman Dillon examined.

8044. Mr. Brady.—I will ask Alderman Dillon to state the main points.—On the 2nd section we propose to alter the definition of the academy, we think it is too much that of a scholastic institution, and we propose to add as an amendment: "To afford the advantages of a complete musical education to such students, residents or natives of Ireland, as wish to make music their profession, and to acquire a thorough and systematic knowledge of the various branches of science and music in Ireland." Then in the next paragraph we propose to substitute for the Duke of Edinburgh, the Lord Lieutenant. We cannot see the slightest claim on the part of the Duke of Edinburgh to be President. And the constitution of vice-presidents we propose to alter also, and to omit the names of Lord FitzGerald, who has ceased to reside in Ireland, and Sir Thomas Jones, and put in as honorary ex-officio members, the High Sheriff of Dublin, and Lieutenant-Colonel Ward, one of the surviving trustees of the Coulson bequest.

8045. Dr. TRAILL.—Are Lord FitzGerald and Sir Thomas Jones musicians?

Mr. Baker.—They have claims, sir.

Sir F. Brady.—I can explain it bye-and-bye.

Alderman Dillon.—I think the next would be sections 7, 8, and 9, dealing with the election of the two sections of the governing body.

8046. Rev. Dr. MOLLOY.—Now, tell us just the substantial features of the alterations you propose to make in the scheme, because when you send in your written report we shall see the details.

Alderman Dillon.—It is that the offices of the retiring members in sec. 1 shall be filled by the diplomates, members, and subscribing members of the academy; and in section 2 should be filled exclusively by the Corporation, and the trustees or trustee of the will of Miss Coulson should not take any part in the nomination, and the reason for that is we have now a trustee of Miss Coulson's will in existence, and there is nothing to perpetuate that, and if the Corporation and the trustees could not agree as to the persons they should nominate the clause would become nugatory.

8047. Rev. Dr. MOLLOY.—Am I right in supposing that once this scheme came into operation the trustee of Miss Coulson's will would have entirely fulfilled his function?

Alderman Dillon.—There are no other trusts under Miss Coulson's will, and to continue it would necessitate the appointment of a new trustee, and therefore you would only appoint a trustee from time to time, mainly for the purpose of keeping up his connection with this institution. This duty was merely to establish once and for all this Academy of Music, when that is done his function ceases. He is only one of three persons, the Lord Lieutenant is one, the Lord Mayor and Corporation another, and the executors and trustees a third. In clause 11 we propose to substitute "secretary" for "registrar," and do not propose to make any other alteration in that clause—clause 12 we strike out altogether.

8048. Rev. Dr. MOLLOY.—I asked Sir Francis Brady what would happen if the body of subscribers became very small; you meet that by adding the "diplomate members" to the subscribers?

Alderman Dillon.—Yes, they would be an ever increasing body.

8049. Dr. TRAILL.—What powers would they have under your scheme?

Alderman Dillon.—Nothing except the power of voting, the same as a graduate in the University. Section 23 we omit altogether, we don't see the advantage of an executive committee, and we would substitute the board of professors for that.

Sir F. Brady.—I think "subscribing members" will include that.

8049. Rev. Dr. MOLLOY.—A person might be well qualified as a "diplomate member," and yet might not be able to subscribe 21 l.

Mr. Oves.—This is one of the things that will tend to the destruction of the subscribing members.

8050. Rev. Dr. MOLLOY.—I might just throw out for consideration, I have no very strong opinion upon it, but it is very often found that a council is too large and unwieldy a body to deal with the details of such a matter as the organization of a course of studies, and also on a council you have a number of people who are elected for their position, and status, and character, and sometimes for their wealth, and it might be advantageous for the administration of the affairs of the academy, if that council, which would be large and miscellaneous, should select a certain number of their members specially qualified to deal with the affairs of the academy, and they would have the power to give to that executive committee authority to draw up programmes of studies, and make with the board of professors, and so forth.

8051. Dr. TRAILL.—You propose to abolish the sub-committees?

Alderman Dillon.—No, we propose to keep the finance committee. We don't see the necessity for a council, an executive committee, a finance committee, and a board of studies. We think a board of studies, and a finance committee discharge all the duties required. And clause 36 gives a general power making the Board to appoint committees for special purposes.

8052. Rev. Dr. MOLLOY.—Would you leave it to their discretion to appoint a committee instead of making it obligatory?—Yes, clause 23 we alter it by making it "The Council may appoint a Sub-Committee," otherwise we leave the clause, and the next clauses, 25 and 26, to stand.

8053. Is there not an inconsistency in speaking of a sub-committee before you have a committee at all?—Probably there is.

8054. Might you not strike out altogether clause 23, since you give to clause 36 full powers to appoint?—Well, clause 24 defines how cheques are to be drawn.

8055. Professor DOUGHERTY.—There is a certain difficulty about trying up the hands of a governing body, with these restrictions as to the appointment of committees:—Except the appointment of a finance committee is such an obvious thing.

8056. Dr. TRAILL.—Do you propose to change "registrar" into "secretary" in section 24?—Yes, wherever it occurs. Clause 27 we propose to alter, we think there should be a paid secretary, and the treasurer should be the Bank. We don't think that with a finance committee, and secretary, you want honorary treasurers. I think Sir Francis Brady would cordially concur in that abolition of the honorary secretary. The council shall appoint a secretary whose duties shall be such as the council shall from time to time define.

Sir F. Brady.—I am not sure that you can do without honorary secretaries, unless the secretary, which is not probable, were a person of very high attainments, you would want somebody to exercise a little more authority in the absence of the council.

Alderman Dillon.—I would be disposed to have a body such as a house committee appointed by the committee from time to time to look after matters.

Sir F. Brady.—You must have somebody to give directions every day of the week, and every hour of the day, on the spot of the moment.

Alderman Dillon.—We propose to omit 28 and 29, and substitute what Mr. Bewley has read. In clause 35 we have struck out the portion relating to the establishment of Coulson chairs of music. There is nothing in the will of Miss Coulson regarding their establishment.

Mr. Baker.—Our only idea when we were drafting

shot, was that it was essential in some way or other to perpetuate the name of Miss Coulson, and how it was best to be effected, unless you give the name to a professorship, or exhibition, or the house we are in.

Alderman Dillon.—In clause 32 we would make some substantial changes. "The course of instruction to be adopted by the academy on the recommendation of the board of studies, and the duties

of professors, teachers, pupils, and others in reference thereto." We strike out this portion, and make it read "Shall make regulations with reference to examinations of the academy, such examinations to be conducted in such manner as the council may think best calculated to secure efficiency and impartiality."

Mr. Baker.—I did not think there could be a power to grant diplomas.

Mr. George Cress examined.

8057. Rev. Dr. MOLLOY.—I think, Mr. Cress, you wished to give us your views.

Mr. Cress.—The main point was with regard to the establishment of a board of studies. It is certainly, as far as I can see, would have the effect of revolutionizing this scheme, it would virtually give the entire direction, in fact, it would be under another name what I heard proposed formerly with regard to the institution that is, that there should be a director and vice-director. It would be a board of studies who would virtually have the entire direction of the academy business. It appeared from the beginning, and does appear still, that there is a falling under the idea. I how to professional men in every way as far as their professional and technical knowledge is concerned, but I don't for one moment concede that the office of framing regulations, and the power of directing what course is to be pursued in an academic institution are the exclusive possession of professional men. Without the slightest offence to any professional musician or professional man of any profession, I can conceive that he may be a very good man as regards his own profession, a most excellent teacher of the instrument or voice, or performer, but does not at all follow that he possesses organizing power, and that particular capacity which would keep everything going in its proper relation to the other departments of the institution may more in a musical academy than in any other academy, and, therefore, it would appear to me that it would be very unwise if the control of the academy were virtually handed over to one section of the council of this academy. It would be still more objectionable that it should be handed over to the professional body of the academy who, in reality, are the servants of the academy, and should be subject to the governing body of the academy. It would be making the teaching staff of the academy the controlling power of the institution, whereas you would provide a more efficient controlling power by having it composed of persons who have no assignable personal interest in connection with the teaching in the institution.

8058. Dr. TRAILL.—How do you work your academy at present with regard to your teaching staff?

Sir Robert P. Stewart.

8059. Rev. Dr. MOLLOY.—Now, Sir Robert Stewart, I should be glad if you would say what you think of the proposed clause of the Corporation—I really think a great deal of the substance of the whole question is involved in this clause. The Corporation propose to have a board of studies constituted with power, subject to such regulations as the council may from time to time make, to draw up a course of studies, and administer the same, to determine the condition and mode of examinations, to report from time to time to the council on matters concerning the educational work of the academy, and to propose to the council laws and by-laws, having for their object the better conduct of the academy. That board of studies is to be constituted of certain professors selected by the Governor from the staff of the academy.

Sir R. Stewart.—Does that touch the outside professions?

Mr. Bealey.—It is to take certain professors of the academy, and form them into a board of studies, so that the professional element of the academy may arrange the studies of the pupils and examinations.

Sir R. Stewart.—Practically, I think that exists already. The professors are selected by the council.

Mr. Cress.—They are all on the council, the council have their advice in all matters.

Alderman Dillon.—In fact they are the academy.

8059. Dr. TRAILL.—What proportion do the professional staff in the academy bear to the non-professional staff on the council?

Mr. Cress.—About one-third, not so much.

8060. Dr. TRAILL.—Have they been always on the council?

Mr. Cress.—Always.

8061. Dr. TRAILL.—Then, you don't object to their having their share of the governing body, you object to the whole management of that department being transferred from the council to these professional gentlemen.

Mr. Cress.—Yes, not in the slightest degree making any reflection on these gentlemen, but it is *anomalous* that they are peculiarly fitted for giving directions as to the management.

8062. Dr. TRAILL.—Just as in Trinity College, we have four schools, in which each school is managed by its own staff, but the Board of Senior Fellows have full control.

Mr. Bealey.—Speshing of the Law School, where I am professor, it would be very extraordinary if the Board of Trinity College proceeded to interfere with the course of studies there.

8063. Dr. TRAILL.—But the Professors of the Law School cannot alter the course of studies, that can only be done by the Board of Trinity College and the Council of the University conjointly, while here it is proposed that the professors are to regulate the whole academy.

Mr. Bealey.—Not at all.

8064. Rev. Dr. MOLLOY.—Does the Corporation propose that the supreme power should be reserved to the council?

Mr. Bealey.—Absolutely.

8065. Rev. Dr. MOLLOY.—Supposing that the supreme power rests with the council, how does your objection hold?

Mr. Cress.—This appears inconsistent with that. I should like to consider it anew, if that is so.

Mrs. Doe, re-examined.

8067. Rev. Dr. MOLLOY.—All that exists already is at an end the moment this scheme comes into existence. Do you approve of the clause?

Sir R. Stewart.—I approve of what we do at present. I approve of it in this way that professional men are selected by the council to form a part of them, but I do not approve of outside professors interfering.

8068. Rev. Dr. MOLLOY.—The proposal of the Corporation is to exclude them in the scheme.

8069. Dr. TRAILL.—But it goes a little further, because as the council is at present constituted two-thirds of the council are not professors, but they council and pay the greatest attention to the professional one-third, and the effect of their being in a majority of two-thirds is that they pay more attention than they otherwise might to the professional members of the council. It is proposed at present to give the full council a veto on these by-laws that the board of studies may bring in, it does not allow the council to originate the by-laws or settle the conditions of the examinations, it leaves the board of studies to do it. If the originating party consists of the full council, of which the professionals are one-third, then they all start equal. If the originating body consists of the

June 1, 1886.

Alfred
Dillon.

Mr. George
Cress.

Sir Robert P.
Stewart.

June 7, 1902.

Sir Robert F.
Stewart.

board of studies subject only to a veto from the full board, they are in a very different position, that is the point on which we wish to know, whether you agree with the project of the Corporation that the professional portion should have the originating of those matters?

Sir R. Stewart.—I should wish the professional opinion not to be set aside in toto, nor would I think it desirable that we should have as much power as the scheme suggests. I would prefer more what it is at present.

8070. Dr. TRAILL.—Then you think that while the matter is nominally in the hands of the whole council it is really in the hands of the professional body?

Sir R. Stewart.—That is my opinion.

8071. Dr. TRAILL.—And Sir Francis Brady, appears to be satisfied with that?

Sir F. Brady.—Oh, yes.

Sir R. Stewart.—We have practically had no differences, disputing or want of harmony in the council as at present constituted.

8072. Rev. Dr. MOLLOY.—Now, I think we have heard the Corporation and the academy, and we should be glad to hear the views of the outside medical profession, if there are any members of it here.

Sir F. Brady.—There are two or three matters I wish to refer to. I would explain to the Commission why it was the Duke of Edinburgh was appointed President; he has been of very great use to us, he is President at present, and has been for several years.

8073. Dr. TRAILL.—How was he appointed?—He was appointed practically for life. The Duke of Leinster was a great patron of the academy, and on his death, the Duke of Edinburgh was appointed. In the last discussion we had with the Treasury as to making the grant permanent, the Duke of Edinburgh took a considerable interest, and wrote himself to the Treasury, and we believe we owe what we got from the Treasury very much to his personal exertions. Lord FitzGerald was elected vice-president on the death of Lord O'Hagan. Lord FitzGerald's name was suggested for this reason: when the Albert Memorial Committee were dividing the money, of which we got £1,000, Lord FitzGerald was one of the most active members of the committee, and it was practically he got us the £1,000. It therefore occurred to us—when we were considering what Irishman of rank and position should be asked to be vice-president, the name of Lord FitzGerald occurred to us.

8074. Rev. Dr. MOLLOY.—At present he lives permanently in London?—He lives permanently in London. Each half-year the president or vice-president signs the certificates of the pupils. If R.R., the Duke of Edinburgh signs the most important, and Lord FitzGerald the rest. As to the election of Sir Thomas Jones' name, he has been an honorary secretary for many years, my colleague, and he is a man himself, and a very distinguished Irishman, none are more proud of; he has risen to the highest eminence in Ireland in his art.

8075. Dr. TRAILL.—The proposal to keep on the name of Sir Thomas Jones intimates a sort of correlation among the fine arts?—I would rather resign myself. As to the High Sheriff of Dublin; the Sheriff is the last gentleman I should like to see coming into the Academy.

Alderman Dillon.—I may mention, lest it may be thought there was anything personal to Lord FitzGerald in substituting any other name, it was mainly on the ground that he had left Ireland, and had ceased to attend, we wanted to get persons who would stand.

8076. Dr. TRAILL.—About Colonel Ward, is there any objection to putting him on for life?

Sir F. Brady.—We have no objection to putting him on, we have no objection to increasing the number.

Alderman Dillon.—There was no serious objection to Sir Thomas Jones.

8077. Rev. Dr. MOLLOY.—This is a question more or less of amalgamation, and it is reasonable that the Corporation should have some voice in the nomination of the vice-presidents.

Sir F. Brady.—The Lord Mayor is suggested.

Mr. Bealey.—The High Sheriff should be left on as well as Sir Thomas Jones.

Sir F. Brady.—The High Sheriff is the nominee of the Lord Lieutenant, rather than of the Corporation.

8078. Rev. Dr. MOLLOY.—Oh no, the Corporation select three names.

Sir F. Brady.—We would sooner have Alderman Dillon himself.

8079. Rev. Dr. MOLLOY.—There is a difficulty in putting persons on a board like this in virtue of their official position; because you have no guarantee beforehand that High Sheriffs will be elected for their medical ability.

Mr. Bealey.—Or for their execution.

Mr. J. C. O'Sheahan sworn.

Mr. J. C.
O'Sheahan.

8080. Rev. Dr. MOLLOY.—I don't know whether you have had an opportunity of reading this scheme?—I read it some time ago, and I found a difficulty recently in obtaining a copy of it, so I am rather at sea on some points. I had a memorandum statement of my views which I intended to send you, but, perhaps, profiting by the example of Sir Robert Stewart, if you question me, I will answer you.

8081. You understand generally that an academy of music exists in this city; a bequest has been recently left for the purpose of founding an academy, and it has been proposed that this bequest should be applied in connection with the existing academy for the purpose of establishing this academy on a better footing in the future, and in a certain sense enlarging it, in order to make better provision for musical education in the city of Dublin. Just tell me what you think of that scheme, whether you think it desirable that the Conlon bequest should be administered separately or joined with the academy?—I have been associated with those who opposed the Conlon bequest being amalgamated with the academy; recently I have not been identified with that body, and after reading this scheme I have changed my mind, and look with hope that the academy may be greatly benefited by this scheme. I thought some changes might be made

with advantage. Some of these changes have been suggested to-day, but it is not easy for a layman to understand at once the drift of all these changes.

8082. You are a layman as regards law, not as regards music. Would you point out what are the modifications that would occur to you as desirable to be made?—Briefly, I have to say this, that whatever council or body may be entrusted with the management of this fund it should be secured that all the members shall do their work, and not in the future, as in the past, leave their duties very much to "the one man." That we look upon as one of the sources of the previous distrust. The management of the academy has been too much practically in the hands of one or two men, who have, I am sure, done their best, but from the force of circumstances, and the general run of affairs, I think that is not healthy. I should like that the entire council and staff should be expected to do the work they undertook.

8083. Dr. TRAILL.—Then I suppose you would not be anxious to have any ornamental members on the council, persons put on for their names, and not likely to act?—I am speaking merely of the working body.

8084. Rev. Dr. MOLLOY.—I think that amounts to the statement that you think it desirable to appoint a council which will be practically efficient, and

consist of members who will attend?—Yes, and take care that what body shall in future be appointed to act shall really act, and not pretend to act.

8085. Dr. TRAILL.—How can you force a council to act except by election, and by turning some of them out now and then?—I cannot say, but that is the leading idea I wish to enforce.

8086. Rev. Dr. MONRO.—You heard the suggestion from the Corporation that the academy should confer diplomas, and the students who obtained diplomas should have a vote; what do you think of that?—I had not thought of that before, but it seems a good common sense suggestion.

8087. It is also proposed that the subscribers to the academy should be entitled to vote for one section of the council, do you approve of that?—I should say so.

8088. What do you think of the suggestion of a board of studies, consisting of the professors of the academy, working under the superintendence and subject to the supreme control of the council?—My wish is that professional opinion on professional questions should always have authority. I must agree with Sir Robert Stewart that under the present existing circumstances it is undesirable for professionals, not connected with the academy, to have any ruling voice in it. At the same time, I must certainly contradict Sir Francis Bredy, when he said that we are of necessity, and of our very nature, antagonistic.

Sir F. Bredy.—Excuse me, I did not say so, and what is more I don't think so.

8089. Dr. TRAILL.—Would you be in favour of a Board of studies, being elected of professors in the academy, as distinguished from the full council, or do you think the present system, under which they are one-third of the body, with practically the working in their own hands, sufficient. Are you in favour of drawing the line sharp and saying one set of persons shall control the course of studies, or are you in favour of leaving them to practically control it as at present?—I don't think a sharp line is good but at the same time I would give them more power than Mr. Crox seems to think. There is one point in the history of the academy that I must mention. I don't want to criticise the academy, but it has been embarrassed in placards displayed in this court that the academy consists of 250 pupils, and by its own showing only about 100 were learning the grammar and anatomy of musical art in any form. One of my propositions is, that at least some part of the fund should be devoted to giving prominence to that branch of the study, and to the study of musical composition. I should like this to be beyond doubt, and not trusted to the old traditions which have not worked well in the academy. I think that a large amount of talent has passed through the academy, and that to a certain extent, and up to a certain distance good work has been done, and I have the greatest possible respect for all the teachers in the academy that I am personally acquainted with, for I think very highly of them. But I say their work is neutralised, to a great extent, by the fact that the study is not made sufficiently broad and intellectual. I heard Sir George Grove say that the Irish element in the Royal College of Music was its backbone. I don't see why if our studies were followed in the same broad course we could not do as good work here as they do abroad, or in England, or anywhere else. It seems to me the pupils rise to a certain height and wither with the first blast—they don't go on. Probably it is not the fault of the academy but the fault of the community. The musical condition of society is such that it is not ready to accept a very serious and broad class of musical study, and the academy have had to trim their sails, and cut their coat according to their school, and so to secure pupils to themselves they have had, more

or less, to draw it mildly as regards pressure of studies. I think the academy would do much better if this proposition of mine could be carried out, that at least some part of the fund may be devoted to the object of giving prominence to the intellectual side of the study.

8090. Rev. Dr. MONRO.—But do you not consider that we should attain the object you have in view best if we succeeded in establishing a thoroughly good council, and under it a board of studies, whose professional advice they would have. Such a council so assisted would be better able to say how the various objects proper to the Academy of Music should be carried out, than if we were to proceed in our scheme to define the various branches of education, and say that a certain portion of the fund should be given to each. Is not that suggestion of yours a suggestion for the council afterwards to deal with, rather than for a lay body like ourselves, not professionally connected with music?—I was emphatically of a different opinion.

Sir F. Bredy.—I would say to my friend, Mr. Culwick, that nothing has prevented the council for years from doing what he suggests but the want of money. We looked to the Council Bazaar as enabling us to do what Mr. Culwick suggests, and what we all have tried to do.

8091. Rev. Dr. MONRO.—We have an existing academy, and the Council Bazaar has been left for the purpose of founding an academy. Are you decidedly of opinion that it is better to employ that fund in organizing one academy only for the city of Dublin than in establishing a second academy distinct from the existing Academy of Music?—I have no doubt about that. I think under existing circumstances the academy is the body that would best administer that fund. I think there is a large amount of our public who care for nothing but a smattering of music, and who go to the academy for that merely, and so sap the strength of the academy. I would put an end to that, and would allow no one to enter the academy who had not a natural gift for music. There has been a scheme, I hear, mooted the other day in the Vice-Chancellor's Court, which seemed to say that the only real qualification to be looked to was poverty. Music requires very special gifts to follow it, and a good sound education. I think it would be extremely injurious to the community to choose such persons as have no sufficient gifts.

8092. Dr. TRAILL.—Do you propose to provide for the general education as well as the musical education of the students?—It should be one of the academy's ancient duties to seek those who have real talents—poor people particularly—but neither rich nor poor necessities should be permitted to trifle away the strength of this fund.

8093. You would require the candidates to undergo another sort of qualifying examination in general studies before they came into the academy?—Certainly.

8094. Rev. Dr. MONRO.—Then the main qualification required from pupils according to your view ought to be fitness for musical studies?—Certainly, which you know is very special.

8095. Very special, but not unusual in Ireland?—I think a great deal of harm is done by women who have a sort of encouragement given to them to learn music and teach when they have no special qualifications. There are hundreds going about this country who can gain for a quarter, or something of that sort; they are, perhaps, not worth more. In a lodging, before I was married, I found an academy pupil there a common servant. She had been a long time at the academy, and looked to go back to it again. She thought music "a very good trade, if she could get hold of it."

June 7, 1885

Mr. J. C. Culwick.

Mr. Edward Houghton examined.

June 7, 1886.

Mr. Edward Houghton.

8036. *Rev. Dr. Molloy.*—You have been since the beginning of the inquiry, and have heard the views put forward, we shall be quite ready to hear anything you have to say with reference to these views, or any further views of your own?—I think I should allude to a little *Ignorance*, I believe, of *St. Francis Brody* that it would be bad to have outsiders interfere with the academy, we would injure the professors of the academy, perhaps he meant that the professors of the academy would injure us.

8037. *Dr. Traill.*—He described you as possibly hostile critics?—I think it would be a very good thing for an equal number of the academy and an equal number of the Corporation to be appointed on the council, and when those get together, no doubt, we will see what will be the best plan to adopt as regards the appointment of a board of studies.

8038. *Rev. Dr. Molloy.*—Do you think a board of studies would be a useful board to act under the superintendence of the council of the Academy?—I do, sir.

8039. Are you of opinion, that it is better to have only one academy in Dublin and not two?—I am of opinion that there is only room for one academy, I think the amalgamation is the better plan.

8100. If the Council bequest be amalgamated with the Royal Irish Academy of Music, do you think it desirable to have a council elected partly by the Corporation, and partly by the subscribers of the academy?—You cannot very well leave the subscribers out.

8101. Then you approve of giving the subscribers a voice in the election?—Certainly.

8102. And you agree in giving the Corporation a voice in the election of the council?—Certainly.

8103. It has been proposed on behalf of the Corporation that the council should give diplomas, and persons who have diplomas should have a voice with the subscribers in electing the council?—I don't see what could be advanced against that.

8104. *Dr. Traill.*—The objection made was that the tendency would be to diminish the number of subscribers.

Mr. Baker.—We would alienate the subscribers by having diplomas.

8105. *Dr. Traill.*—You have heard the difficulty now, are you of opinion that it would be right for us to bring diploma into the scheme in which they would be increasing in such numbers every year, that the 100 subscribers would soon be swamped?—I don't think there is any fear of that.

Mr. Ansell.—You might meet that by allowing the diplomas to make a small subscription.

Mr. Baker.—Or a registration fee.

Mr. Crox.—That might be feasible.

8106. *Rev. Dr. Molloy.*—Suppose we gave those who received diplomas a right to vote on a reduced subscription of five shillings or ten shillings a year, would not that meet your views?

Mr. Baker.—It would.

8107. *Professor DOUGHERTY.*—Or would it meet your view to charge a fee for the diploma and dispense with the subscription?

Mr. Baker.—I am afraid people could not pay that.

8108. *Rev. Dr. Molloy.*—You have heard *Mr. O'Neil* say that only those pupils ought to be admitted who show a fitness for pursuing a serious course of musical studies, do you agree with that view?

Mr. Houghton.—Not quite. I would allow them to go a certain distance, but not to take a higher or a finishing course, without showing an aptitude.

8109. But you would receive all pupils into the academy, who wished to learn?—Yes.

8110. *Dr. Traill.*—You would not impose any condition on them, to sign whether they were going to become artists or not?—They could not tell beforehand.

Mr. P. Brody.—We took a great deal of trouble at that point some years ago, and had correspondence with foreign conservatories.

8111. *Rev. Dr. Molloy.*—Your view is that the academy should receive all pupils, and make the most of their talent such as it may be?

Mr. Houghton.—Quite so, and if possible if this academy could make some connexion with some educational institution by which pupils would get a general education also. I would not let them in except as students of attending some recognised school.

8112. *Dr. Traill.*—Have you any provision of that sort?

Mr. P. Brody.—We have not. When the academy was originally started we tried to give them a general education but it was too expensive.

Rev. Dr. Molloy.—I think we have finished this inquiry so far as it is necessary to proceed at present, and I wish to repeat again, that having brought the preliminary inquiry to a conclusion we now propose to suspend all further proceedings in this matter until the case regarding *Condon's* bequest has been brought to a conclusion in the Vice-Chancellor's court.

8113. *Dr. Traill.*—Or unless the Vice-Chancellor will postpone it for the purpose of reconsidering it here, or giving us a longer time.

Mr. Gerson.—The letter I hold in my hand, is the official report of what occurred before the Vice-Chancellor, it is made by our solicitor, and of course we hold him responsible for it. "This case was on today before the Vice-Chancellor, and on the application of the Corporation was adjourned for a fortnight, that the parties might consider what course they would adopt in reference to the proceedings before the Educational Endowments Commission." If that be a correct report it does not appear to me it means coming before you in the meantime, but agreeing in the meantime what they intended to do. It will be the duty of my board to ask the Vice-Chancellor to proceed with the scheme and confirm it if the parties do not come before him and tell him what they have agreed upon doing. It will not be sufficient for them to tell the Vice-Chancellor that they have come before you, but to tell the Vice-Chancellor what they have agreed upon.

8114. *Dr. Traill.*—Is your board prepared to meet to an agreement with those gentlemen?

Mr. Gerson.—Our board has completely left this in the hands of the Court.

The Commission adjourned.

TUESDAY, JUNE 8TH, 1886.

PRESENT: Very Rev. *GERALD MOLLOY, D.D., D.Sc., F.R.C.I.*; *ANTHONY TRAILL, Esq., LL.D., M.B.,*

F.T.C.D.; and *Professor DOUGHERTY, M.A.*

The Assistant Secretary, *N. D. MURPHY, Junior, Esq.*, was in attendance.

THE GLOUCESTER-STREET SCHOOLS.

8115. *Mr. T. P. Law, G.C.* (instructed by *Messrs. Fry*), appeared on behalf of the governors of the Gloucester-street schools, known as *St. Thomas's Parochial*

Schools, otherwise the Gloucester-street Sunday and Daily Schools, otherwise *Lady Harborton's School*, to claim exemption from the Act, on the grounds that the

The Gloucester-street Schools.

Mr. T. P. Law, G.C.

school had been built, and was being maintained, by private subscriptions; and that it never had any endowment whatever. The lease of the ground on which the school is built set forth that it was executed on the 6th November, 1830, "between John Cash of Rutland square, in the city of Dublin, Alderman, on the first part; and Thomas Burton Vandeleur, one of the Justices of His Majesty's Court of King's Bench in Ireland; Edward Perry Brooks, of the said city of Dublin; and Pelham Baskington, of the other part." The lease was for two lots or parcels of ground, situate in Gloucester-street, and the corner of Rutland-street, of which John Cash was the owner, and which were given to the three trustees for 999 years at a rent of £31 per year, payable half-yearly. The lease went on to declare—"And whereas it is the wish of the said Thomas Burton Vandeleur, Edward Perry Brooks, and Pelham Baskington, to establish a school in the parish of Saint Thomas, in the city of Dublin; and whereas His Excellency Richard Marquess Wellesley, Lord Lieutenant of Ireland, hath in order to promote the establishment of the said school, directed that a sum of £250 should be paid to the said Thomas Burton Vandeleur, Edward Perry Brooks, and Pelham Baskington, out of the fund granted by Parliament in the 58th year of his late Majesty's reign in aid of schools established by voluntary subscriptions in Ireland, said sum of £250 together with a sum of £475 to be advanced by the said Thomas Burton Vandeleur, Edward Perry Brooks, and Pelham Baskington, of their own money, and money to be subscribed by other persons to be laid and expended towards the erection of a schoolhouse on said lands in said Parish of Saint Thomas." The document went on to declare that the object of the school was to instruct in the principles of reading and writing children of both sexes of the Established Church.

8116. Rev. Dr. Mooney.—Who has power to appoint new trustees?—The deed gives power to the surviving trustees to nominate to the vacant position or positions. The remaining trustees have power to nominate a new trustee.

8117. What exactly is the title of your school at present?—Lady Harberton took an active interest in religious education, and she practically maintained this school herself for many years, and it was then known as Lady Harberton's school. In the deed it is set forth—"To establish a school in the parish of Saint Thomas, in the city of Dublin."

William Graham Brooks, esq., M.A., sworn and examined.

8118. Mr. Lee.—You are acquainted with the facts connected with these endowments?—Yes.

8119. Are there any money endowments?—There are no money endowments. The fund to build the school which was opened on the 10th May, 1825, was collected by my aunt personally, and by Lady Harberton. The fund was collected by subscriptions. The school never had an endowment belonging to it. The £250 mentioned to-day I don't regard as an endowment, but a subscription on the part of the Government in aid of a private charitable work. The school was then maintained, greatly through the exertions of Lady Harberton, and after the death of Lady Harberton, by my aunt, Miss Brooks, and one or two others. It strikes me as a case that should be exempt from the operation of the Act. There is no endowment.

Rev. Thomas Wallace sworn and examined.

8124. Mr. Lee.—You are one of the trustees of the school?—Yes.

8125. What connexion had you with the orphanage as regards these eight children?—These eight orphans were accommodated for a while—owing to the unhealthy condition of their own house, and were paid

8118. What is it called now?—The Gloucester street School.

8119. Dr. TRAILL.—Is it attached to the parish church?—It is not.

8120. Are there children of any other denomination but that of the Protestant church attending the school?—Yes, there are.

8121. Rev. Dr. Mooney.—I find that last year there were attending the school—members of the Church of Ireland, 83; Protestant Dissenters, 20. In the infant school—members of the Church of Ireland, 117; Protestant Dissenters, 20.

8122. Dr. TRAILL.—There are no Roman Catholics?—No. It has been always a Scriptural school. The children are taught in the Scriptures.

8123. Is the Church Catechism taught in the school?—It is, but not necessarily. Not to any children whose parents object.

8124. Rev. Dr. Mooney.—With the exception of the £250 you got from the Lord Lieutenant, all the rest of the endowment is derived from voluntary subscriptions?—We have no endowment whatever.

8125. Dr. TRAILL.—What about this St. Thomas's Orphanage, Lower Gloucester-street?—It is quite a different thing. We have nothing to do with it.

8126. Professor DOUGHERTY.—Then is this orphanage a distinct institution from the school?—It is.

8127. Dr. TRAILL.—I see among your receipts last year an item from the governors of St. Thomas's Orphanage.

Rev. Thomas Wallace (one of the trustees).—The way the matter stands is this. There is an orphanage in the parish which is a poor school for girls, and has nothing to say to the institution before you. They are mixed up to some slight extent. Eight of the orphans were boarded in the house used for the purposes of this school, owing to their own place being thought unsuitable, and there was a rent of £20 received for the boarding of these orphans in the school.

8128. Dr. TRAILL.—What street is the orphanage in?—The same street—Gloucester-street.

8129. Professor DOUGHERTY.—In what was the money left by Philip Ramsey invested?—In the orphanage, and it has nothing to say to the school.

8130. Dr. TRAILL.—The question is whether these buildings were ever used for the orphanage?

Mr. Lee.—No.

8131. Dr. TRAILL.—Then Ramsey's money is not in them?—No.

The money to build the school-house was collected by private persons, and the school has been maintained by the efforts of private persons for the last sixty years. The school has been very successful, and good secular and religious instruction is given there to the children who are altogether Protestants. I mention the facts which I have been instructed by Miss Brooks to lay before you. The report of the Commissioners of 1851 confirms the school with St. Thomas's Orphanage. St. Thomas's Orphanage is quite a distinct thing. The orphanage is in the hands of the St. Thomas's clergy—it is a parochial school; but this is a private school. The rooms that were temporarily occupied by the orphans are now occupied by the master and mistress of the school.

William Graham Brooks, esq., M.A.

Rev. Thomas Wallace.

June 5, 1896.

Christian
Brothers'
Schools, Basin-
Lane, Upper
James's-street.

Very Rev.
Monsignor
Kennedy, R.P.,
V.C.

CHRISTIAN BROTHERS' SCHOOLS, BASIN-LANE, UPPER JAMES'S-STREET, DUBLIN.

Very Rev. Monsignor Kennedy, R.P., V.C., James's-street, sworn and examined.

8137. Rev. Dr. MOLLOY.—You are the parish priest of James's-street?—Yes.

8138. You are acquainted with the schools of the Christian Brothers in that street?—Yes.

8139. They have a small endowment, I believe?—They have got nothing to do with it. There is a small endowment of £15 a year for the Catholic schools of the parish; but not especially for the Christian Brothers. It was a bequest made by a Mr. Keary; and I receive it through the Board of Charitable Bequests. The bequest is for the Catholic schools of the parish.

8140. Dr. TRAILL.—Have you got the will?—No; I never saw it.

8141. Professor DOUGHERTY.—How does it come that the Superior General of the order of Christian Brothers appears as one of the trustees?—He has got nothing in the world to say to it.

8142. You derive under the will of Michael Keary?—Keary. It was I myself introduced the Christian Brothers into the parish. They were not there before my time.

8143. Professor DOUGHERTY.—There is some mistake here as regards the Superior General.

8144. Rev. Dr. MOLLOY.—The Commissioners of Charitable Donations and Bequests will probably be able to give us some information on the point. Under this will, Monsignor Kennedy, you receive, as parish priest, £15 a year for the Catholic schools of the parish, and you administer it accordingly?—Yes.

Rev. Dr. MOLLOY.—It is quite clear that the endowment is exempt from our jurisdiction; and we desire it so, subject to the inquiry to be made of the Commissioners of Charitable Donations and Bequests as to the will of Michael Keary.

St. Michael
and John's Na-
tional Schools,
Essex-street.

Rev. Dr.
Tynan, R.P.

St. MICHAEL AND JOHN'S NATIONAL SCHOOLS, ESSEX-STREET, DUBLIN.

Rev. Dr. Tynan, R.P., St. Michael and John's, sworn and examined.

8145. Rev. Dr. MOLLOY.—In connexion with the schools in your parish, was there or is there any endowment?—The late Hugh Elymore, in his will made about a year ago, left five shares in the Bank of Ireland. These shares were left in the names of some trustees, the interest to be paid half-yearly for the purposes of these schools, but we have got nothing yet.

8146. Where did he name as trustees?—He named seven or eight.

8147. Then, so far as the will of Hugh Elymore is concerned, you have got no endowment yet?—No. A Mr. Gorman left £1,000 to the parish priest of the parish for the benefit of his schools some years ago. The interest of the sum is drawn, and the parish priest can do what he likes with it for the benefit of his schools. There was another bequest of £500, previous to the Gorman bequest, but by whom I could not say, as my predecessor in the parish, Canon Walsh, did not remember the name.

8148. Have you got a copy of Gorman's will?—No.

8149. We can get an extract from it. Is Canon Walsh one of the executors of Gorman's will?—I do

not know. His and the other bequest are invested in three persons.

8150. Dr. TRAILL.—Are all the trustees members of one denomination?—Yes.

8151. And are all the children members of the same denomination?—Yes. I made inquiries as to whether there were ever any Protestant children in the school, and there was one, some years ago, for a few months. It was an English child.

8152. Rev. Dr. MOLLOY.—The schools are administered by you as parish priest?—Yes; they are entirely and exclusively Catholic.

8153. Dr. TRAILL.—Do you know anything about the will of James Walsh, made in 1830?—Nothing whatever. Canon Walsh, who is in Kingstown, may know something, but I don't know whether he can give you any information more than what I have given you now.

The only information we require is about Gorman's will. We want the extract in which this trust is mentioned. I think we may decide the endowment to be outside the Act, subject to the production of the will.

ST. THOMAS' ORPHANAGE, 46, LOWER GLOUCESTER-STREET, DUBLIN.

Mr. James Orr, Q.C. (instructed by Mr. William Smith) appeared for the Governors of the Orphanage.

8154. Mr. Orr said this was the only school in connexion with the Protestant Church in the parish, and had been always managed by the rector and churchwardens, both before and since the Church disestablishment. The institution was established in the year 1786, as a female orphan school in connexion with the parochial church. The only means of subsistence at the time were the proceeds of sermons delivered in the church, and collections made from time to time from private persons. Three wills had been made under which small sums had been left for the support of the schools. The first will was that of John O'Brien, of the city of Dublin, made in the year 1791, which, after reciting certain bequests, left to the poor children of the Protestant Church the whole of the residue of the property, excepting £100. The second will was that of Richard Gave, of North Frederick-street, Dublin, made on the 16th February, 1830, under which a sum of £300 was specially bequeathed to these schools. The third will, which was dated 1854, was that of Richard Dunn. Under the will a sum of £50 was bequeathed towards the building of a steeple on the parish church, and the will went on to say that if the money was not so applied within six years after the death of the testator it should be allocated to the fund for the support of the parochial school. The

will also gave £30 towards the schools. The steeple was not built, and so the school had £30 under the will. These three funds were exclusively devoted to this particular school, and he claimed exemption from the Act on the ground that the endowments were applied to one particular denomination.

8155. Dr. TRAILL referred to a will of Philip Renny made in 1755.

Mr. Orr.—The endowment bequeathed in that will did not apply to the school. Under that will a sum of £500 was allocated to the purchase of a piece of ground in a convenient part of said parish for the building of an almshouse. That almshouse was the institution near the orphanage.

8156. Dr. TRAILL.—Is it an almshouse now?—Mr. Henry Harden (Hon. Sec. to the Orphanage).—It has no inmates. It is at the rear of the school-house, and the rent of it comes into the orphanage.

8157. Rev. Dr. MOLLOY.—Is the building at present in the possession of the governors of the orphanage?

Mr. Harden.—It is, but they can get no rent for it.

8158. If any income accrues from the building it goes to the Rector and churchwardens?—Yes.

8159. But it is not, at present, an endowment of the orphanage?—No.

St. Thomas'
Orphanage,
45, Lower
Gloucester-st.

Mr. James
Orr, Q.C.

8160. Dr. TRAILL.—Would it not be a good opportunity for you now, not having any use of this almshouse, to bring in a scheme claiming this as an endowment for your orphanage?

Mr. Hadden.—Personally, I would prefer the almshouse being kept clear of the orphanage, and used as the testator intended.

The orphanage was declared exempt from the Act. The Commission then adjourned.

June 6, 1886.

WEDNESDAY, 9TH JUNE, 1886.

June 6, 1886.

Present:—REV. GERALD MOLLOY, D.D., B.Sc., F.R.U.; ANTHONY TRAILL, Esq., LL.D., M.D., F.R.C.D.; and Professor DOUGHERTY, M.A.

The Assistant Secretary, N. D. MURPHY, JUNR., Esq., was in attendance.

PHILADELPHIA SUNDAY AND DAILY SCHOOLS.

Philade. Sunday
and Daily Schools.

Mr. J. W. Jennings and Mr. Gilbert Mack, Trustees, and Rev. N. W. Carr, Superintendent of the Philadelphia Sunday and Daily Schools, Blaquiere-bridge, North Circular-road, attended to claim exemption of the Schools from the Act.

Mr. J. W. Jennings having been sworn, handed in a written statement (after reading it) containing the several grounds on which exemption was claimed. He also handed in copies of Mrs. Herbert's will, and copy of Chancery scheme, dated 1858, under which the schools are conducted. He was then examined.

8161. Dr. TRAILL.—Are the children all of one religious denomination?—Yes, they are.

8162. What denomination?—The Church of Ireland.

8163. Were they so limited by the late Mrs. Herbert's will?—They were.

8164. Professor DOUGHERTY.—Do you say they are limited to one denomination by Mrs. Herbert's will?—They are.

8165. Is it in fact have you not ever since the foundation of the schools received children of various denominations?—We did before the Chancery scheme.

8166. And they have not been admitted since?—They have not as such.

8167. Rev. Dr. MOLLOY.—In order to be exempt under the sub-section dealing with endowments allocated for one particular denomination, it is necessary for you to prove that the funds are available for persons of one denomination exclusively, and managed exclusively by members of that denomination. Unless your endowment fulfil these two conditions it cannot be exempt. You have shown, I think, that the endowment fulfil one of these conditions—managed by persons of one particular denomination—but not the other.

Rev. N. W. Carr.—It is altogether for a particular religious denomination, for it is only for such children as belong to the Church of Ireland. If children choose to come in as part and parcel of that religious denomination they are admissible, but otherwise they are not.

Professor DOUGHERTY.—I do not see anything in Mrs. Herbert's will limiting the benefits of this endowment to children of the Irish Church.

8168. Dr. TRAILL.—What catechism do you teach?

Rev. Mr. Carr.—The Church of Ireland catechism.

8169. Professor DOUGHERTY.—Do you teach all the Presbyterian children the Church catechism?

Rev. Mr. Carr.—We don't force it on them.

8170. Professor DOUGHERTY.—I would call your attention to this. There is no information in the report made by the Commission of '89, but the previous report—made in 1858—shows that the Protestant children of other denominations in attendance at the school exceed in number the children belonging to the Irish Church. There were thirteen Protestant dissenters, including Presbyterians, and only nine children of the Irish Church.

Mr. Jennings.—That was before the scheme. The scheme was not formed till 1858.

8171. Dr. TRAILL.—The will does not at all make any limitation to children of one denomination.

Rev. Mr. Carr.—It puts them all under my care, and if they don't accept what I give them they can leave.

8172. Professor DOUGHERTY.—There is nothing to that effect in the will.

Rev. Mr. Carr.—What I say is, that according to the will the children of the school are put under my care, and if they don't choose to accept what I give them in the way of religious teaching, and according to that will, they can go out.

8173. Professor DOUGHERTY.—What do you mean by "go out"? Is it that the children would be excluded from instruction in the school?

Rev. Mr. Carr.—I don't think it would be fair to put a ban on our voluntary action. Under the strict terms of the will all the children are under my control. The point is are they children of one particular denomination? I say they are. I say that under the terms of the will and the scheme I am given religious rule over the children; therefore they can't be members of any other denomination. They have to accept my religious teaching, and that teaching is the defined teaching of the Irish Church.

8174. Dr. TRAILL.—Catechism teaching?

Rev. Mr. Carr.—Yes.

8175. Professor DOUGHERTY.—But you don't, as a matter of fact, exclude Presbyterian children?

Rev. Mr. Carr.—I do not; and we never did.

8176. Rev. Dr. MOLLOY.—In the report of 1858 we find that the children attending the school then were—nine belonging to the Established Church of that time, four Presbyterians, and twelve Dissenters not classed. Therefore there were at that time sixteen children attending the school who were not of the particular denomination of which you speak. Therefore, it appears from that fact that the benefits of your endowment were applicable to others, besides children of your denomination.

Rev. Mr. Carr.—We had no endowment then; i.e., before the scheme of Mrs. Herbert's bequest.

Professor DOUGHERTY.—I beg your pardon. Under Mrs. Herbert's will, made in 1851, you realised in 1858 a sum of £2,848 7s.

8177. Rev. Dr. MOLLOY.—Give us evidence of the actual properties you are possessed of.

Mr. Jennings.—The amount is £3,451 11s., invested in Government New Three per cent. Stock, in the name of the trustees.

8178. How is that made up? How has it come into your hands?—Every part is from Mrs. Herbert's will.

8179. Dr. TRAILL.—I suppose it accumulated since 1858 from £2,848 to £3,451?—There was some property since sold according to the scheme.

8180. The sum first realised was this £2,848 7s.—Yes, that was got in cash at the time.

8181. Rev. Dr. MOLLOY.—What is the date of Mrs. Herbert's will?—1851.

8182. And the date of the scheme in Chancery?—1858.

8183. It appears beyond all doubt the scheme was intended for children of the Protestant faith?

Mr. Jennings.—As a matter of fact the two original

June 3, 1895.
Mr. J. W.
Jenings.

trustees under the will were clergymen—the Rev. Gilson Black and the Rev. Francis Paris.

8184. And these two clergymen were clergymen of the then Established Church of Ireland?—Yes.

8185. Do you contend, then, that the endowment was left for Protestant children; to be administered by trustees, who were both clergymen of one particular denomination of Protestants; and therefore, that it was the intention of the testatrix to restrict the benefit of the endowment to children of that particular denomination? Is that your contention?—Yes.

8186. Professor DOUGHERTY.—How do you account then for the fact, that you immediately began to violate the intention of the testatrix by receiving children of other denominations, who far exceeded in numbers the children belonging to the Irish Church?—But that was before the Chancery scheme.

8187. I am speaking now of the report of 1858, long after the will was made?—But the scheme was not made till that year, 1858.

8188. Dr. TRAILL.—The whole question is whether you can prove that the endowment is restricted to children of one denomination. It appears to me there is nothing to prevent you giving instruction to children of other denominations?—Anyway we claim under the facts stated in the will and scheme.

8189. What are the numbers attending the school now?—There are sixty-nine children on the roll at present, and the average daily attendance is between fifty and sixty.

8190. And to what denomination do they belong?—The denomination to which they exclusively belong—except one, I believe—is that of the Church of Ireland.

8191. And what is that one?—A Presbyterian, I believe.

Rev. Mr. CARRE.—There is more than one now, I think.

8192. Rev. Dr. MOLLOY.—With regard to this £3,450, you don't claim exemption under subsection five, which deals with voluntary subscriptions.

Rev. Mr. CARRE.—These schools were previously established by voluntary subscriptions.

Mr. JENINGS.—I think very little doubt can exist, after reading Mrs. Herbert's will, as to the religious denomination she intended to benefit by her will.

8193. Professor DOUGHERTY.—I can't see anything in the will restricting the endowment to children of any particular religious denomination. Can you point out anything?—I can't do that in express words.

8194. If you do that, you will prove your case—if not, the case is not so clear as you seem to think.

Mr. Gilson Black.—My father was curate in St. George's during the time of Mrs. Herbert; and he knew her well; and from what I have heard him say, I know her leanings were towards the Established Church of the time.

8195. Professor DOUGHERTY.—It is clear that Mrs. Herbert intended the endowment should be managed by trustees of her own denomination, but I am not so clear, nor have I seen anything in the way of proof, that she intended to limit the benefits of the endowment to children of a particular denomination.

Rev. Mr. CARRE.—If these children choose to receive religious instruction from the chaplain, she certainly did not.

8196. Professor DOUGHERTY.—You are directed to give scriptural instruction?

Rev. Mr. CARRE.—There is nothing about that.

Mr. Gilson.—He could give any instruction he liked.

8197. Professor DOUGHERTY.—On which document do you go. The will, or the Chancery scheme?

Rev. Mr. CARRE.—Both.

8198. Professor DOUGHERTY.—Well, so far as the Chancery scheme is concerned, the primary object of the instruction is to advance in scriptural education.

Rev. Mr. CARRE.—I believe that the object is scriptural education; but I am perfectly at liberty as to the way in which I give it. Under the will every child is perfectly free to attend the school, but no

one has a right under the will to have his position asserted in the school as being of any other denomination, and claiming as such, to be exempt from any religious instruction.

8199. Dr. TRAILL.—I believe, according to the will, you are also chaplain to the Female Penitentiary, North Circularroad?—Yes.

8200. And you give religious instruction at the schools?—Yes.

8201. Professor DOUGHERTY.—And the religious instruction contemplated in the Chancery scheme is religious instruction in the Holy Scriptures.

Rev. Mr. CARRE.—As defined by the Church of Ireland.

8202. Professor DOUGHERTY.—That is not in the scheme.

Rev. Mr. CARRE.—If you read on to where it is you will see that the religious instruction is to be entirely under my supervision.

Mr. JENINGS.—I think it is plain from Mrs. Herbert's will that she left the endowment primarily for scriptural instruction. But she says, after the subscriptions are collected and the expenses of the school are paid out, the balance is to be applied for the chaplain doing duty for the Female Penitentiary, and we contend that if we were to collect sufficient subscriptions, so as not to touch the endowment at all, we would have to hand over the proceeds of the endowment to the chaplain of the Female Penitentiary. I think that supports the contention that the endowment is intended for one religious denomination.

Rev. Mr. CARRE.—I may tell you that there is no portion of this property entirely assigned over for educational purposes, for the whole of the endowment may go to the chaplain of the Female Penitentiary, and not be applied for educational purposes at all.

8203. Professor DOUGHERTY.—But I am not at all certain that that would be in accordance with the founder's intention.

Rev. Mr. CARRE.—It is the exact words of the will.

8204. Professor DOUGHERTY.—It is quite clear that the will contemplates the surplus being applied as a salary for the chaplain for the Female Penitentiary. That finally disposes of the idea as to the whole of the endowment being used in that way.

Rev. Mr. CARRE.—Suppose I were to collect voluntary subscriptions for the schools, as used to be done before Mrs. Herbert's will, and suppose there was one pound left as a balance of debt after all the subscriptions had been paid away to meet the necessary expenses, then, on paying the debt balance, if I were to set in that way the whole of the endowment would go over to me.

8205. Dr. TRAILL.—How much does the chaplain get under the Chancery scheme?

Rev. Mr. CARRE.—£25 a year. The scheme has in that way altered the terms of the will, and instead of allowing a floating balance, it has fixed a salary of £25 a year for the chaplain.

8206. Rev. Dr. MOLLOY.—Under the scheme you have about £75 available for the purposes of the school and £25 for the salary.

Rev. Mr. CARRE.—Precisely.

8207. Rev. Dr. MOLLOY.—There is a certain amount of doubt hanging over this matter. Under subsection six of section seven, it is necessary that an endowment, in order to be exempt from the Act, should be applicable to children of one particular denomination only; and should be administered by members of that denomination. There is no doubt that this endowment fulfils the second of these conditions, but it is not so clear that it fulfils the first. Looking at the will I should have thought it gives strong grounds for believing that the intention of the testatrix was to restrict the endowment to children of the then Established Church, because she appointed as executor and trustees, two clergymen of that church. But against that *prima facie* case we have the fact that within eight years of the establishment of the endowment it was applied to children of other religious

denominations. We will allow the matter to stand over for the consideration of the Judicial Commissioners.

Rev. Mr. Corry.—I would say, sir, that the report of one single year should not be taken as evidence of the state of things every year. For many years past there have only been three or four children outside the Church of Ireland attending the school. If these children were free in the school, and if no one could interfere with their religion, I would say that there were some grounds for believing the endowment was intended for different denominations.

8208. Rev. Dr. MOLLAY.—(to Mr. Jephugs).—You say the state of things represented in the report of 1838 was prior to the endowment?—Yes.

8209. How is that?—It took five years to form the scheme, and we did not get anything of the endowment during that time.

8210. Do you mean under the Chancery scheme?—Yes.

8211. But the endowment was in operation before the Chancery scheme?—No; so far as we were concerned. The order of the court of Chancery is dated 14th June, 1832, when the trustees, the Rev. Gibson Black and the Rev. Francis Paris, applied to have a scheme prepared, but it was six years after that before the scheme was finally settled.

8212. Professor DECORREY.—Were you in the enjoyment of any part of this endowment between the date of the death of Mrs. Herbert and the settlement of the Chancery scheme?—I cannot tell without referring to the accounts.

8213. Had the school the benefit of the endowment?—The way it was was this. A Mr. William Saint Lawrence Weldon had a life interest in the property; and during his life he enjoyed all the proceeds, with the exception of some annuities. When he died, and as the annuities lapsed, all went into the trust fund; and then it was that the school was to benefit by the endowment. Prior to that time we only enjoyed Mrs. Herbert's usual subscription of £6 a year.

8214. Then the school did at the time take some benefit under the will?—The usual yearly subscription.

8215. When did Weldon die?—He died in 1831, and it was after his death that the trustees petitioned the Court of Chancery to form the scheme.

8216. Do you mean to tell us nothing was received from the endowment between the death of Weldon in 1831, and the settlement of the Chancery scheme in 1836?—Certainly. There were four annuities of £10 each paid out of the will. The remainder of the property—the house and garden, the plot of ground in Gresham's-court, with the five cottages thereon, the plate, and furniture, &c.—were bequeathed to Weldon for the term of his life. The will also directed that as the life of each annuitant should drop the said

William Saint Lawrence Weldon should have the benefit thereof during his life, and from and after his death the testatrix directed that the property should be placed in trustees for two purposes. The Rev. Francis Paris and the Rev. Gibson Black were appointed such trustees. The testatrix directed that the Philoborough Sunday and daily schools should be opened for boys and girls with a master and mistress both Protestants; and that after the subscriptions to said schools should be collected, the remaining necessary expenses of said schools should be paid out of the property left in the trustees' hands; and that the surplus should be applied as a salary for whatever chaplain there was or thereafter might be appointed to do duty at the Female Penitentiary on the North Circular-road, to give religious instruction at the said Philoborough schools.

8217. You haven't clearly answered my question—whether you received out of the income of the endowment anything, and, if so, how much—for the support of the school from 1831 to the settlement of the Chancery scheme in 1836?—I really cannot answer that question fully, the accounts will show what was done.

8218. It is a very important question?—I cannot answer it fully. I did not come in as a trustee till 1837.

8219. Rev. Dr. MOLLAY.—Was the school in existence at the time the will was made?—Oh, yes. It has been in existence from 1813.

8220. At that time there were children of various religious denominations in the school?—Certainly. The school was started by voluntary subscriptions for purely Protestant purposes.

8221. The question I asked you was, whether there were children of various religious denominations attending the school at that time?—Certainly.

8222. There is no mention in the will of any particular denomination; and at the time that the will was made, the school was attended by Protestant children of different denominations. Putting these two facts together, may we not infer an intention on the part of the testatrix that the children of different denominations should benefit by the endowment?—Not as such, and to me it would appear to tend the other way.

8223. Rev. Mr. Corry.—But the administration of the bequests was left to ministers of the Church of Ireland, and the minister of the same church was directed to give religious instruction in the school.

8224. Rev. Dr. MOLLAY.—If the endowment is declared to come under the operation of the Commission the Commissioners will be bound, in any scheme they may draw up, to carry out strictly the provisions of the will and the chancery scheme.

ALMSHOUSE, GREAT BRITAIN-STREET.

Mr. T. Pakenham Lee, q.c., one of the Trustees of the Almshouse and Orphanage (Male and Female), Great Britain street; and Mr. G. F. Armstrong, Agent to the Institution, appeared and claimed exemption of the endowment from the Act.

8225. Mr. Lee referred to two deeds which explained the origin of the charity. The first, which was dated the 9th March, 1734, was between Tristram Fortick, of the city of Dublin, esquire, of the first part; and the Right Hon. James Lord Viscount Leinsterborough; and Dame Mary his wife: the Rev. Stafford Warren, late of the parish of St. Mary's Dublin, Clerk; William Burgh, Thomas Burgh, Charles Campbell, George Rochfort, esquires; Brian Robinson, Doctor of Physic, of the said city; and Thomas Burgh, of the Middle Temple, esquire, London, on the second part. The deed went on in any—

"Whereas, Richard Smet, of the city of Dublin, esquire, by deeds of lease, bearing date the 2nd and 3rd November, 1719, made or intended to be made, between the said

Richard Smet, on the one part; and the said Tristram Fortick, on the other part, for the sum of £1,000, did grant a piece or parcel of the ground of Phipps Park, in the parish of Saint Mary's, Dublin, containing in the west end of the front of the street, called Jervis-street, 150 feet, and in the length from east to the west, of 350 feet."

Further on the deed mentioned—

"And whereas, the said conveyance of the said ground so made to the said Tristram Fortick, was assigned for charitable purposes, the said Tristram Fortick, did by an article dated the 29th day of March, 1730, duly prescribed by him under his hand and seal, agree and promise to convey over the said parcel of ground to the said William Burgh and Stafford Warren, and any two other trustees to be nominated by charitable benefactors who should contribute to build an almshouse in the said parish of Saint

June 8, 1836.

Mr. J. W. Jephugs.

Almshouse,
Great Britain-street.

Mr. T. P. Lee,
q.c.

June 5, 1886.

Mr. T. P. Low,
&c.

Mary's, for the poor widows and children of said parish; so that a sufficient fund should be laid for building the almshouse, within six months after the date thereof. And that the income of the said land should be applied for the support thereof, and the widows and children who are to be maintained therein.

The deed also recited proceedings in the Court of Chancery, above the will of Susanna Smyth, of the city of Dublin, widow, deceased, who left some property for charitable purposes, in which an order was made by the Master directing that a sum of £147 17s. available after paying all costs, in the hands of Mary Lady Lamborough, one of the executors of the will, should be applied to the purchase of an estate in Ireland, such estate to remain in Lady Lamborough's hands. The deed went on to say:—

"The estate bought to be settled on Lady Lamborough and her heirs, who are thereby empowered to apply the rents and profits towards the education and maintenance, and clothing of the poor boys and girls of the said parish of Saint Mary's, until they respectively attain the respective ages of sixteen years."

This sum, or its Irish equivalent £510 13s. 4d., was transmitted to William Burgh. There was also £1,500 in the hands of Stafford Warren, and private subscriptions having also been received for the building of the almshouse, £1,500 13s. was paid to Tristram Fortick for the ground. The deed went on to say:—

"And that the almshouse so to be erected, shall for ever be known by the name of the Almshouse, in the said Mary's, Dublin, for the maintenance of poor widows and children, and that none but widows who are members of the Established Church, and inhabitants of the said parish, and whose husbands died therein at least three years next before their decease, be admitted therein. And that the said widows have, at the time of their admission, a child or children, they being not less than seven years, nor exceeding the age of sixteen years, and that to child be admitted or continued therein who shall be above sixteen years."

8226. Rev. Dr. MOLLOY.—Is the whole of the endowment held under that deed?—No, but the greater part is.

SAINT MARK'S PAROCHIAL SCHOOLS, WESTLAND-ROW, DUBLIN.

Rev. Abraham S. Fuller, D.D., Incumbent of Saint Mark's, was sworn and examined.

8226. Rev. Dr. MOLLOY.—You are the Incumbent of St. Mark's?—Yes, I am the Incumbent.

8227. Will you please give us some particulars about St. Mark's Parochial School?—It is a small school. There are forty children on the roll, both boys and girls, all young.

8228. How is it supported?—It is supported by charity sermons and subscriptions from private friends. The Church Educational Society spend something on it also.

8229. Have you any deeds left?—No.

8230. What time were the schools established?—In 1828.

8231. Dr. TRAILL.—How are the sites of the schools held?—We have a lease from Mr. Phineas Riall. He holds it from Trinity College.

8232. What is the rent?—£15 10s. a year.

8233. Have you any endowment of any sort?—No endowments.

8234. Professor DOUGHERTY.—Did not a John Lee give an endowment to the school? Under a will made in 1853 he, after bequeathing something for other purposes, left a sum of money for the support, clothing, and education of five orphan boys and girls. Do you

8235. What is held under that deed is subject to these conditions which you have read?—Yes.

8236. Mr. Low referred to a second deed, dated 25th July, 1845, made between John Barrow, of Bhyll Hill, county of Dublin, Esquire; Sir John Kingston James, Baronet, Cavendish-square, in the city of Dublin; and Robert Warren, of Rutland-square, in the City of Dublin, Esquire, trustees named on behalf of the Widows Almshouse, Great Britain-street, in the first part; William Simon of North Frederick-street, and Charles Trunch, Fort-place, surviving trustees of Richard Cane, of North Frederick-street, deceased, on the second part; and the Venerable Charles Lindsey, Rector of the parish of Saint Mary, and the curate of the said parish on the third part. The deed went on to say that the said Richard Cane, by his will, bearing date the 18th February, 1830, after bequeathing several pecuniary legacies, left the residue of his estate, to be applied after the death of his sister, Anne Cane, to the aid of such charitable institutions, in the city and county of Dublin, as his executors might consider most deserving, and most in need of such assistance. The executors were Alexander Montgomery, William Cowan, and Thomas Trunch. By an order of the Court of Chancery, made in 1841, a sum of £2,000, invested in 3½ per Cent. Government Stock, was placed to the credit of the funds of the Widows Almshouse.

8237. Professor DOUGHERTY.—I believe, as a matter of fact, you don't receive children of any religious denomination?—We have at present no children at all. A widow going in and having a child it could only be maintained up to sixteen years, and as the great majority of the widows are very advanced in life, and many over eighty years of age, they could not have children of the specified ages.

Mr. Low was then sworn, and said all he had related was true, and having handed in the deeds referred to:—

The Commissioners declared the endowment exempt from the Act.

know anything about that bequest?—We have for the last five years been trying to get it, but got nothing. It has nothing to say to the school. The first difficulty was to find out the heir to this person, and now there is some difficulty about the money being advanced.

8238. Can you tell the amount of the estate?—£200.

8240. Was that amount bequeathed subject to any life interest, or absolutely?—I think there were some lives—the residue to go to the vicar and churchwardens for the support of these children.

8241. And did you never receive anything?—No, nor can't get it.

8242. Dr. TRAILL.—Do you get any profit rent for the house?—Yes, but it is not for the school.

8243. The children are all children of the Church of Ireland?—They are.

8244. Rev. Dr. MOLLOY.—How many have you?—About thirty or forty. They are taken away before fifteen years.

8245. Are you connected with the National Board?—No, with the Church Educational Society.

The Commissioners declared the schools exempt.

The sitting was then adjourned.

Saint Mark's
Parochial
Schools,
Westland-row,
Dublin.
Rev. Abraham
S. Fuller, D.D.

WEDNESDAY, AUGUST 11TH, 1886.

August 11, 1886

Present:—Right Hon. Lord Justice FRYGEBORN, and Right Hon. JOHN NAINB, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.Sc., F.R.S., ANTHONY TRAILL, Esq., LL.D., M.D., F.T.C.D., and Professor DOUGHERTY, M.A., Assistant Commissioners.
The Secretary, WM. EDWARD ELLIS, Esq., LL.B., and the Assistant Secretary, N. D. MURPHY, Junr., Esq., were in attendance.

STANDING FOR JUDGMENT.

Case standing for judgment.

ST. BRIDE'S PAROCHIAL NATIONAL SCHOOLS; PAROCHIAL SCHOOLS OF ST. NICHOLAS WITHOUT AND ST. LUKE; ST. JAMES'S PAROCHIAL SCHOOLS; ST. CATHERINE'S PAROCHIAL SCHOOLS; ST. ANDREW'S PAROCHIAL SCHOOLS; ST. MICHAEL'S PAROCHIAL SCHOOLS.

Lord Justice FRYGEBORN.—With regard to these parochial schools, a public inquiry was held by the three Assistant Commissioners, and questions of consanguinity were raised, which the Assistant Commissioners reserved for further consideration, when the Judicial Commissioners could attend. We have read the evidence taken before the Assistant Commissioners and also the reports of the former Commissioners, and we have also looked to the similar cases which have already been before ourselves, of which the one most nearly approaching these is the case of St. Peter's Parochial Schools. There are some points of difference, but in general they are schools of the same character as St. Peter's schools. Each case must of course be decided upon its own facts, but in general they are ancient parochial schools formerly managed by the minister and churchwardens of the parish. The churchwardens and rector, vicar, or incumbent (whatever his title was) were a corporation, but not an ecclesiastical corporation, and for certain purposes, which in old times were much more extensive than they latterly became, they represented the whole body of the parish. The Irish Church Act put an end to the continuance of existence of the minister, who was an ecclesiastical corporation sole, but provided that where any ecclesiastical corporation so dissolved was as such a member of a lay corporation, the person who in future should perform similar duties, should take the same position and be a member of the lay corporation. There are many other instances besides these parochial schools where the office of incumbent now comes upon the holder of that office, although he is no longer a corporation sole, the right of being a member of lay corporations of which the old minister was permanently a member. Therefore if we still had the parish and the churchwardens as they formerly existed, the incumbents would with them still form a corporation as the minister and churchwardens of the parish. But the Church Act did not affect the position of the churchwardens; they were not ecclesiastical officers nor members of an ecclesiastical corporation. Under the Church Act the members of the Church were empowered to reset their arrangements, the old arrangements continuing binding upon them only contract until meant, and since the Church ceased to be established by law they have made new arrangements for the formation of parishes, and election of "churchwardens" so called, but the persons now known as churchwardens are really not elected under the Churchwardens Act of Geo. IV., but by a restricted number of members of the Church, acting under regulations made by the Church through its own domestic legislature and appointed for Church purposes confined to the newly arranged parishes, they are not the same officers in the eye of the law, according to our opinion, who formerly were members of the old civil corporation of the minister and churchwardens, and the result therefore is, that though we have now in name an incumbent and churchwardens in each of these parishes, we have an incumbent who is not an ecclesiastical corporation, but who would have a right to act as a member of the civil corporation of the minister and churchwardens if he existed, but we have not got the lay members of it, for the gentlemen now elected at the Easter vestries

by the registered vestrymen to the office of "churchwardens" under the domestic legislation of the Church are not officers elected under the old Act of Geo. IV. I may mention myself, not judicially but as a member of the Church, that at a very early stage the question whether the elections of our churchwardens were still governed by the old law was raised upon an appeal against the return of a churchwarden under the domestic legislation of the Church in violation of the provisions of the Act of Geo. IV., which prevented the same person from being elected for two years running if any other qualified person could be got to serve; and the late Sir Joseph Napier, Judge Longfield, and other eminent lawyers at the time, considered the matter very carefully,—it was one of much difficulty, but the upshot was that the Act of Geo. IV. was held not to apply to elections under the domestic legislation of the Church, and therefore the disabilities that it imposed did not apply to the new "churchwardens." The report of the Commissioners, pp. 166, 229, takes the same view and indicates that there is no longer "any parochial body corporate legally so recognised."

Under these circumstances, taking first the case of St. Bride's, we find a quantity of property, real and personal, house property, money in the funds, money in bank, and also some annuities payable through other bodies; all that property, from the oldest records, going back far more than 100 years, appears to be conveyed to the churchwardens or the minister and churchwardens, or to other persons named as trustees for the parochial school. There are lettings and agreements between the minister and churchwardens for the parishioners and the parties dealing with this property, and it appears to us that its position arises out for the assistance which the Act of 1855 enables this Commission to give; it is not "under the control of persons of any particular denomination," because it is not under the legal control of any person at all. If a question of title arose, if it became necessary to recover possession by legal proceedings, the plaintiffs would probably be nominated, no one could show that he was legally a churchwarden, or that the corporation legally entitled was in existence, and the aid of a Court of Equity would be required, at great expense, to recover the property for the trust. We therefore rule that St. Bride's Parochial Schools are not now under the control, which means under the legal control, of the members of any particular denomination. At the same time, we find they are under the actual control of persons who under the domestic legislation of the Church represent the old churchwardens, and according to the Act the purposes to which the property ought to be applied are binding upon us, so that in the creation of a body for its future management we must take care that the purposes to which it is legally applicable are in no sense altered. I am not anticipating what those purposes are, because they may differ in various cases, but in every case in which it appears that the endowment is properly applicable for children of one denomination only, namely, children of the Church to which the minister formerly belonged, our duty probably will be to adopt whatever we find nearest to the old minister and churchwardens, and if we found the new incumbent and church-

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wardens efficient, we should enable them to legally take the place which nominally they at present occupy. I mention this because certainly at the commencement of our proceedings, an idea was expressed that in every case in which an endowment was declared to be within the purview of this Act of Parliament it necessarily followed that its purposes were to be altered, or its benefits to be extended to classes of persons who previously had no right to them. Where its benefits have become restricted, and some of those entitled have been excluded from those benefits, or have been unable to accept them, it is our duty to extend its usefulness over the whole field which legally it ought to cover, but on the other hand there is a vast quantity of property which is in the trusts and purposes restricted to certain classes or denominations of persons, and the Act is distinct that in all those cases our powers should be used to extend its usefulness within those limits only. (His Lordship then read the judgment given on 8th January, 1886, in the case of the schools of St. Peter's parish, supra p. 24).

These observations apply equally to St. Bride's; we have an ancient list of the charitable donations and bequests to the schools of that parish, and to prevent misunderstanding with regard to our decision, it is right to say that all these endowments are derived from old parishioners, many of whom specify Protestant children as the objects of their bounty, and in several instances, in ancient instruments, the school is referred to as "the Protestant school," or the "Protestant parochial school." We, in this case as in others, should hold this satisfactory evidence, unless met by evidence to the contrary, that the school was a Protestant school, the minister and churchwardens were by law at that time necessarily Protestants, and the endowments being given by members of the church to the school connected with their own parish church, we should not see any reason at all for departing from its original constitution as an exclusively Protestant charity, therefore we do consider it our duty to hold that the school is not exempt, and to create a legal body for its control. It is a very important question for consideration of the members of the Church which we throw out in consequence of resolutions sent to us, and proceedings taken outside, whether it would be better for these Dublin parochial schools, where the parish boundaries have been so much changed, and circumstances alter so much, that for the purpose of holding their property there should be some one central body, or that the property should be vested in a separate body in each parish. I apprehend that in the first place we should treat each school as a separate entity, and try to create a body for its own government, but this will be consistent with afterwards placing the management of the property under central control. The evidence taken before the former Commission will satisfy any person that very great loss has arisen from the management of property of this character by small and scattered bodies, and possibly a general board might do better. In the case of Morgan's and Maron's school we have proposed to create a body to manage the property in the first instance, but to give to the General Synod, which is now by statute recognised as the chief legislative authority of the Church, the power of modifying the constitution of that body afterwards, if it should think proper, and some similar provisions might be adopted for the parochial schools.

In the case of St. Nicholas Withoes, and St. Luke's, the funds are smaller. They have got an old book recording a number of legacies and bequests, from time to time, and the school is substantially in the same position as in St. Bride's. We find the minister and churchwardens, and in another case the "churchwardens of the parish of St. Luke's and their successors," as the holders of the property given for the schools. What I have said would apply even more strongly to St. James's parochial school: it has a very small endowment, and the school, when visited by the Assistant Commissioners, was found in a condition tending to show that more direct legal control would probably be useful. The chief endowment is an en-

dowment given by some Grand Canal Stock, given for the benefit of the parochial school, through the minister and churchwardens. The next is a very peculiar case, St. Catherine's parish: they seem to have actually found themselves thirty years ago in the very difficulty which we apprehend for the other parishes, and in 1854 a private Act of Parliament (17 & 18 Vic., cap. 23, local), was obtained for the management of the parochial property, which reads extraordinarily like one of the schemes that we have been drawing up, or that the Scotch Commissioners have been preparing also. It incorporates trustees, in whom all the estates and property are vested for their better management, and for the due application of the income. We could not have a more authoritative precedent. It creates a number of bequests, some for the poor, some for distressed room-keepers, some for the parochial school, male and female, others giving money to individuals in trust, the income and capital money to be applied in support of the schools, and the principal never to be disposed of; other endowments "for the amelioration of the condition of the wretched poor of the said parish."

All these are tabulated in a schedule, and a body is incorporated by Parliament consisting of the Archbishop of Dublin, the Earl of Meath, the Dean of St. Patrick's, the Archbishop of Dublin, the vicar and churchwardens of the parish of St. Catherine for the time being, together with trustees, eight or ten in number, named in the Act, with powers of co-opting, all constituted as a body corporate by the name of "The Trustees of St. Catherine's parish." The section relating to the schools is the 19th (reads). And the Act contains this provision which puts an end to any doubt as to religious denomination:—"Any of the said trustees, other than the ex-officio trustees, who shall cease to be a Protestant of the United Church of Great Britain and Ireland, as by law established, shall thereupon be considered and be disqualified to act as such trustee." In this parish there is therefore a legal body constituted for the purpose of holding this property, but the vicar and churchwardens being named the result would probably be the churchwardens, if the question were raised, would drop out, there being none now legally elected, but the vicar would remain in under the provision I have referred to in the Church Act, and as the property is vested in a legally constituted body, exclusively denominational, we should declare it exempt, but if the trustees desired it we could by a scheme put an end to the point about the churchwardens by admitting those now elected to the governing body of the schools of which the property is already secured. St. Andrew's is an old parish school, and there is a good deal of matter for inquiry about the property, from which we might hope that some good would come. There is a house in Wicklow-street which has still upon it the name of the parochial school of St. Andrew's, there is some other property, and the parish is also interested in Ralph Moskin's endowment. The parochial schools of St. Michael's are in the same position. Our decision in all these cases will be that they are not exempt, and therefore it will be our duty to settle a scheme for each of them, but, I repeat, this does not prejudice the rights of any religious denomination. Of course I speak, subject to the evidence establishing that exclusive rights exist, because Mr. Naish and myself have been directing our attention at present only to the matter of law.

St. Hen. JOHN NAISH.—I concur with the judgment of the Lord Justice on the legal question that these endowments are subject to our jurisdiction.

Lord Justice FRYGROUSE.—I may mention that one of the schemes, now in the hands of the printer, is that for St. Peter's parochial schools, and before we prepare any other, those interested in these parochial schools will have an opportunity of seeing St. Peter's scheme, which was taken up as a typical case, and may be of assistance in determining what modifications might be desired in other cases. I may add that any suggestions brought forward will be carefully considered.

MONDAY, AUGUST 16TH, 1886.

Aug. 16, 1886.

Present:—Right Hon. Lord Justice FITZGERDON, and Right Hon. JOHN NAINN, Judicial Commissioners; and Rev. GERALD MOLLOY, D.D., D.C., F.R.U.; ANTHONY TRILLA, Esq., LL.D., M.D., F.R.C.D.; and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLER, Esq., LL.B., was in attendance.

SWORDS BOROUGH SCHOOL.

8246. Lord Justice FITZGERDON.—I will mention how the matter comes before us to-day. On the 15th of June we first published a draft scheme for the future government and management of the Swords endowment and gave notice in accordance with the 22nd section of the Act, that during two months after that publication we would receive any objections made in writing, and any amendments proposed. We have received objections from various authorities interested, and also some communications, perhaps not formal objections, but observations upon the scheme intended for our assistance. We, therefore, thought it right, as this Swords matter for a very long time had been a subject of controversy, after the expiration of those two months, collectively to hold, as the 22nd section enables us to do, a further inquiry concerning the subject-matter of the scheme, and it is for that purpose that we are sitting today. The persons interested will be aware that after holding that inquiry the Judicial Commissioners are required to proceed to consider the objections made to the draft scheme, and any amendments proposed thereon, and they have then to frame a scheme in such form as they think expedient, and submit it for the approval of the Lord Lieutenant, so that after the objections and amendments are considered today, the scheme which it will be the duty of this Commission to frame, will be one for which the Judicial Commissioners will be responsible, and which will not be open to any further objection or amendment here, but which will go before the Lord Lieutenant and Privy Council to be considered by them. The objections we have received are first from the governors of the existing Swords Borough School, signed by Lord Plunket, the Archbishop of Dublin, on behalf of the Governors; next we have objections from the vestry held in Swords Church on 14th July, 1886. We have also got objections from the sub-committee of the standing committee of the General Synod, represented by Mr. John H. Bernard, their secretary, dated 16th July, 1886. We have also received objections from Mr. Henry Baker, dated 14th August, 1886, and we have received some suggestions, scarcely in the nature of objections, from Mr. Cruise on behalf of Colonel Foster, whose name is mentioned in the draft scheme. We have also received a communication from the Board of Charitable Donations and Bequests as regards the appointment of an auditor, and also desiring any share to the management of the school, which it appears to have been their understanding that the draft scheme would have conferred upon them. We have also had observations from the Commissioner of National Education going in detail into the provisions of the scheme. They are not objections, but they are suggestions for bringing its provisions into accordance with the rules and regulations of the National Board with which it is proposed that the schools should be in future connected. And lastly we have received a communication from the Roman Catholic Archbishop of Dublin, in which he states that he is anxious to make some observations before the Commission. He as a person interested in the scheme, and as a proposed governor of one of the new schools, has of course a *locus standi* and we are very glad to have any suggestions which His Grace may be able to give us. As we have not got in writing the details of his views, it seems to us that it would be more convenient to ask him to state them now, that the parties who have brought forward objections may hear them as well as the Com-

missioners. When we have heard them we will then take up these objections in order.

8247. Lord Justice FITZGERDON (to Most Rev. Dr. Walsh, Archbishop of Dublin).—Would it be your Grace's desire that I should mention the points that you wish to raise on the scheme?

*Archbishop Walsh.—I think so, my lord. I think it would be convenient.

Lord Justice FITZGERDON.—Then I will merely read the letter which we have received:—

"DEAR SIR,—I think it desirable that I should present myself for examination before the Educational Endowments Commission, at the public inquiry which is to be held on Monday next, in reference to the draft scheme of the Commissioners, and the objections that have been offered against it. The points as to which I should wish to express my views are, first, the constitution of the board of governors, as regards chiefly the preponderating educational influence proposed to be established in the Permanent Board; and secondly, the principle to be adopted in the distribution of the endowments as between the Protestant and the Catholic schools. I shall state it as a special favour if an hour can be fixed by the Commissioners at which I can present myself for examination.

"I am, dear Sir, yours faithfully,

"Wm. J. WALSH, Archbishop of Dublin."

8248. Does your Grace desire to give evidence, or to give as your views by way of statement?—I should prefer to put them by way of statement, and rather by way of making suggestions than of objecting in any formal way to the scheme; for I think it on the whole, a very satisfactory scheme. But it occurred to me on looking over the objections that have been lodged, that the question now stands in a very fair way of settlement, and I think that, as far as possible, we ought to try to settle it by a general consent of the different parties interested, and so put an end to the contention that has been going on in Swords for so many years. Now of the two points mentioned in my letter, I should prefer in the first instance to take the second point, that is the principle of distribution of the endowment. The proportionate principle, as I may call it, is adopted in the scheme as I understand it.

8249. Mr. NAINN.—From year to year?—From year to year. In the draft scheme lodged by the governors, the proposal was that the endowment should be divided half and half, in equal shares, between the Protestant and Catholic schools. I should wish of course to be understood as objecting in toto to the adoption of that suggestion. Another scheme of division has been proposed, I think by Mr. Cruise, to which I must also object, as it seems to rest upon no solid principle. He names two sums, one of which should be given to the Catholic body and the other to the Protestants, by way, I think he said, of "healing old scores" and "being on good terms with neighbours all round." Well, in my opinion, the only way to secure that desirable result is to make a division according to some fixed principle, and I consider the proportionate principle adopted by the Commissioners is the only one that can be upheld. I think it would be impossible with any other division to secure harmony in the future management of the schools.

8250. Mr. NAINN.—Do you think it should be ascertained from year to year according to the plan

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Most Rev. Dr. Walsh, Archbishop of Dublin.

proposed in the draft scheme?—I should very much prefer to have a fixed arrangement now. I see that in the paper that has been lodged on behalf of the governors, signed by the Protestant Archbishop of Dublin, Lord Plunket, it is suggested that a final and absolute allocation of the fund should now be made between the two denominational boards, as any arrangement making the proportion of income depend from year to year on the fluctuating number of pupils attending the schools, is calculated to create and perpetuate a source of contention and of ill-will between the members of the two religious denominations, and might afford an inducement to the use of improper and indirect means for the purpose of altering the proportion of those attending the schools. I agree with every word of that. For my own part, I should very much prefer to have a fixed arrangement made now, so as to put an end to all possibility of unfair means being used for the purpose, or even to any suspicion of their being used.

8251. You would have it according to the present numbers attending the schools?—I see no better basis to go upon.

8252. Lord Justice FRYGIMSON.—Has your Grace any further observations to make with respect to the principle of division?—Yes.

8253. I think before we go to the other point, we should discuss this matter of the principle of division, for they are entirely separate subjects.—Entirely separate. Well, I think that while maintaining the principle of proportional distribution we ought to do everything possible to provide the Protestant minority in Swords with the means of keeping up efficient schools if they wish to keep them up. That suggestion has been made, and Dr. Traill in his paper, I think, mentions a minimum grant out of the yearly income. He mentions a request that was made, that at least £100 a year should be secured for the school of the minority.

8254. Dr. TRAILL.—The present proportion would give, I think, £102 1.—As you have mentioned that point, it may be well to tell the Commissioners that in the calculation made in the document adopted by the Protestant vestry in Swords, and signed by Canon Twigg, the Chairman, there is an statement made that the total sum divisible is £545 13s., and that if this be divided according to proportion the Catholic body will get £455 11s. 10d., and the Protestant body, £89 2s. 11d. Do you not observe that the arithmetic is altogether wrong?

8255. Lord Justice FRYGIMSON.—I do not know that it is wrong on their own way of stating the sum, for the £545 13s. is not the interest on the whole; it is the interest only on the residue of the endowment after certain deductions.—I quite understand that, but what I wish to call your attention to is, that in the first place, if you add the two sums together they do not give the total sum divisible. But over and above that there is a much more serious mistake. They say that the proportion is about six to one, as between the numbers attending the schools. Yet they claim for themselves one-sixth!

8256. Dr. TRAILL.—Of course it should be one-seventh!—And that will make a very serious difference. I have the accurate figures here. The sums should be £472 and £74. They have understated their own case I may say. At all events you will find that these are substantially the correct figures.

8257. Lord Justice NAIRN.—That is taking that as the sum to be divided?—Taking £545 13s. as the sum to be divided in strict proportion. The numbers given are 519 in one school, and 49 in the other.

Canon Twigg.—The numbers exactly in the three schools are 575.

Archbishop Walsh.—I merely take the figures that are given here in your own paper.

8258. Lord Justice FRYGIMSON.—I may mention how we arrived at the proposal for the proportionate system mentioned in the draft scheme, and the reasons

why, after considerable discussion, we concluded that the proposal in the draft scheme was the only one we could put forward. Of course I need not remind you all that we are obliged to consider the objections fully, and that the Commissioners are not in any way tied to the draft scheme, and I should consider it the greatest success that could attend the draft scheme if it resulted in the parties interested after discussion coming to an agreement that some other plan was better. Now I may mention that the first difficulty was in reference to the existing borough buildings. We had evidence that they were more than ample for the children attending the existing borough school, or likely to attend the Protestant schools, and we had to consider whether they should remain to the old borough school or should be transferred to the new borough school in which the accommodation was too small for the number of children attending. We were clearly of opinion that they were more conveniently situated for the Protestant children of Swords than for the children attending the Roman Catholic schools, and we were also clearly of opinion that we could not ask Father Midealy to leave the schools which had been erected by himself and his parishioners, nor could we on the other hand call upon the Protestants to remove into them. We were perfectly certain that any exchange of that kind would probably result in failure, and then the question was how we were to take those buildings into account. One witness at least said that their annual value in excess of the requirements for school buildings was sufficient to maintain the whole of the buildings in repair, which was put down at I think £20 a year. We considered therefore that in giving them buildings to the Protestant school we must be treated as giving an endowment to the extent of £20 a year, and we gave to the Governors power in the draft scheme to turn that endowment into money by letting or selling the same accommodation in any way they thought proper. Then as regards the others we saw that a further expenditure was necessary, if for nothing else for providing an infant school, and we set apart from the endowment £2,000 which might be kept for annual income, or applied by the governors of the Roman Catholic school in their discretion for supplementing their buildings. Of course that was taken out of the general fund, but the value of the buildings given to the Protestant school was also taken out of the general fund, a matter overlooked in some of the criticisms to which the scheme has been exposed. The next difficulty was as to vested interests. The interest of the medical officer, it is easy to keep on, because all the services he gives at present we can require him to continue to give, but the deputy superintendent, the examiner, and to some extent the master and mistress of the existing school, could not make their services as useful in the future as in the past, and we were obliged therefore to provide for their vested interests out of the fund before any division. The last question was what numbers we were to take if we made a final division. The numbers in the present of the select vestry, where they are making "a poor mouth," are lower considerably than the numbers given in the evidence offered to show that the school was not such an unqualified failure as those persons on the other side represented. In round numbers, allowing for fluctuations, we thought about sixty to 300 were the present and normal numbers. Well, our difficulty in adopting these numbers as a basis for final division was that they are liable to fluctuation. No doubt they are liable to artificial alteration, and that is a strong objection to adopting the principle of division de anno in annum, but they are also liable to natural fluctuation, and we thought that if sixty was taken as a fixed figure, if the entry went down below thirty or even, as anticipated in some of the criticisms, below fifteen, the majority would start afresh the same objections as to the residue of the endowment now made as to the entire. On the other hand if the Protestant pupils increased to seventy or eighty or possibly even further, there would be injustice to them if kept down to the share of sixty. There are good schools in Malahide, and Father Midealy is liable to the "aura popularis," and if his

numbers fall there might again be trouble about the allotment of the fund. These were the objections that weighed with us in making our proposal, but I need not say that if the parties on both sides were agreed to make a division finally, and witnesses on both sides have thrown that out, we would not consider ourselves bound to be wiser than they are in an affair that concerns them much more than it does us and we should be glad to reconsider it carefully. The proportion represents one to six, and it must be remembered that one-seventh of the net endowment even with the buildings would be a very small amount with which to maintain a school, and if we adopted the principle of dividing proportionately, we should feel bound I think to add something for the necessary expense of keeping up a smaller school as compared with a larger.

8252. Archbishop Walsh.—And it is precisely with that object in view that I would propose that a minimum sum should be secured, sufficient for the maintenance of the school of the minority. I distinguish in this matter between the fundamental principle on which we are to take our stand, and the exceptional circumstances that have to be taken into account in the application of that principle. I regard it as essential that the proportionate principle should be laid down, but these certain provisos and modifications have to be made in the application of it.

8253. Lord Justice Fitzgerald.—In the first place we are anxious to hear your Grace's opinion upon the matter of the buildings?—Well, in reference to the buildings, I think that if we were to look merely to the economic management of the fund, the natural course would be to hand over the largest school to the community having the larger number of children to send to school, and then to build a new school for the community that has the smaller number of children wanting school accommodation. That, I say, would be the natural course to take, if we looked merely to the economic management of the fund; but I can quite understand the unwillingness of Canon Twigg and his parishioners to give up a school they have held so long, and I think we ought to respect that feeling.

Mr. NASH.—That was a consideration that weighed very much with us.

Archbishop Walsh.—It was a most natural consideration to take into account in such a case. I see that a reference has been made to this point of the buildings and the cost of keeping them in repair, in the report of the sub-committee of the Standing Committee of the General Synod. They ask that clause 15 (A) in your draft scheme should be modified in order that the school of the minority might be maintained in a reasonable state of efficiency, and then make reference specially to the cost of maintaining the school premises and keeping the buildings in good order and condition. I think that in asking for a special allowance on that score they are asking for a little too much. If they wish to have the building I for one should be willing to leave it with them. But the building is altogether in excess of their requirements for school purposes, and it would be unreasonable to ask us to make this large allowance to keep this large building in repair for them. In fact it is by no means clear to me that when the scheme comes into working order the Protestant select vestry and Canon Twigg who represents them, may not feel it their interest to adopt the other plan. Then would be a different thing from having the other plan forced upon them by the Commission. I would suggest then the addition of a clause giving them power if they like it to be their interest to hand over the school, and then to get this bulk sum which you propose to give to the Catholics. I think if you were to take this school from them and hand it over to us, that would be a permanent source of bad feeling in the place, but it is quite a different thing if they get the power and find it to be their interest to exercise that power to hand it over, and in that case, of course, they should get provision for the building of a school. And if that suggestion were adopted, I think it should be taken in this way, that if £2,000 is the sum considered suit-

able for a Catholic school building, a somewhat less sum would be sufficient for the Protestant minority. We might fairly ask, in case they wished to give us the school building, to have £500 taken out of that sum to enable us to put it into a permanent state of repair, as it is an old building now; and I would propose to give them the remaining £1,500 to enable them to build another school and residences for their teachers.

8254. Dr. TRAILL.—I think if your Grace would just consider you would say that if the building was valued at £2,000 for one party it should be equally so for the other. The buildings are worth £2,000 whoever gets them.

Archbishop Walsh.—You still seem to have some leaning towards an equal division of the endowment between the two very unequal sections of the population?

8255. Dr. TRAILL.—No, I should be very glad if the Protestant community would take the £2,000 and give up the building, and I was always of your opinion, but I do not think it would be fair to ask them to take £1,500.

Archbishop Walsh.—Well I do not think we should be likely to fall out about small points of detail.

8256. Lord Justice Fitzgerald.—The alternative is that if the governors of the borough school thought proper they might take the £2,000 and give up the buildings, or the buildings less by the infant school.

Dr. TRAILL.—And I think it should be done within a year.

Archbishop Walsh.—It could be done at once.

8257. Lord Justice Fitzgerald.—We went into this economic question carefully and came to the conclusion that it would not be altogether on one side, because it would cost £1,000 to equip a school for sixty children on the lines we should like to see, and therefore the saving would be between £2,000 on one side and £1,000 on the other; but on the other hand the existing buildings could be made available for teachers' residences and parochial purposes, so that it would not be altogether wasted.

Archbishop Walsh.—In almost every point I think my views could be carried out within the lines of this draft scheme, and I think there is very little in my views that the representatives of the Protestant community of Sweden will regard as objectionable.

Canon Twigg.—If we found it desirable that the £2,000 should be taken I would not object to that proposal being inserted, but I am not at all prepared to say that we would adopt it.

8258. Dr. TRAILL.—But your Grace does not mean to include the infant school building with those to be given up in lieu of £2,000?—If I am not misinformed it would not be difficult to make the infant school available for a female school and infant school for the Protestant minority, and then the building of a small school would be sufficient. I am speaking without any accurate information, but I think it is a useful suggestion to make that you should enable them as an alternative to hand over the school.

Canon Twigg.—It is an alternative we should not be at all likely to accept at present.

8259. Lord Justice NASH.—The £2,000 would cover all the schools.

Archbishop Walsh.—Of course, but as Dr. Traill observes, the alternative should be limited as regards time. The reason is manifest.

Dr. TRAILL.—Because you would have to build soon.

8260. Lord Justice Fitzgerald.—The introduction of any such alternative would necessarily involve the postponement of any expenditure out of capital upon new buildings, because we could not allow you to enlarge the other buildings if you were to get the present borough school buildings.

Archbishop Walsh.—As we have waited eighty-six years for a fair settlement I think we may well be content to wait six months longer.

Mr. RORT.—I think His Grace says that the infant school should go with the £2,000.

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 Most Rev. Dr.
 Walsh, Arch-
 bishop of
 Dublin.

Aug. 16, 1886.

Most Rev. Dr.
Walsh, Arch-
bishop of
Dublin.

8268. Lord Justice FITZGERALD.—His Grace's suggestion was £1,500, and the infant school to remain with the Protestants. The situation of the infant school is not convenient, and if it be separated from the others, very considerable alterations must be made.

Canon Twigg.—It occurred to me that it might not be desirable to have the schools so closely placed beside each other.

Dr. TRAILL.—But if the thing is to be voluntary, that is all open for discussion afterwards. It is only now proposed to make it voluntary.

8269. Rev. Dr. MOLLOY.—If the governors of the old borough school preferred to take the £2,500 and obtain a site altogether apart from the existing site, they might be allowed to do so; or they might be allowed the alternative of taking £1,500 and keeping the infant school. That would leave them ample room for choice and I have no doubt, from what I have seen, that either sum would be sufficient to provide the necessary accommodation and residences for teachers.

Archbishop WALSH.—I think they should have the utmost possible liberty of choice.

8270. Lord Justice FITZGERALD.—It is all permissive legislation, and won't come into practical operation unless all parties agree.

Archbishop WALSH.—I do not think that the difficulty of coming to an agreement will be on the Catholic side. As I understand what the Lord Justice said, the proposed arrangement for giving the school to the Protestant community, really includes provision for keeping it in repair.

8271. Lord Justice FITZGERALD.—It was our view that in these buildings after supplying all the school accommodation necessary, the extra accommodation would be worth the cost of maintenance.

Archbishop WALSH.—So that you really give them the school and the means practically of keeping it in repair out of the bulk sum, before you proceed to distribute. I think that equity requires that the same should be done for us, that in the event of our requiring the whole of it for school purposes, some provision should be made for its repairs.

8272. Lord Justice FITZGERALD.—Something extra should be given to the smaller share to make it sufficient for the initial expenditure, and whether in bricks and mortar or in money they should get something substantial extra.

Archbishop WALSH.—In my opinion, in addition to the bricks and mortar, they should get a substantial sum in money also.

Lord Justice FITZGERALD.—Certainly.

Archbishop WALSH.—But you propose to give them not only the school building, but also the means of keeping it in repair. I think in any settlement of the question provision should be made for repairs for us as well as for them.

8273. Rev. Dr. MOLLOY.—If the governors of the old borough school decided upon accepting this alternative, upon taking a bulk sum of money to build new schools, practically their schools would be put from the start in a thoroughly efficient state of repair, because they would be perfectly new. Would you not think, Canon Twigg, that if we provide for you out of the fund, a perfectly new and well equipped school building, we should also appropriate a certain amount of the fund to put the existing school into good repair for the governors of the new borough school. (To the Archbishop). Is that your Grace's suggestion?—Yes.

8274. Rev. Dr. MOLLOY.—Not to give an annual sum for repairs, but at the outset to put the two schools in an efficient state?—Yes, to put them on a good footing, to give us a fair start. We want nothing more than that.

8275. Dr. TRAILL.—They are now in a very good state?—And then the sum required would be very small.

Canon Twigg.—I observe that in my evidence I said something that I really am surprised to see now in print, that is that I considered that the possession of the buildings was worth to us £50 a year. We

could not utilize them in any way to get anything for them.

8276. Dr. TRAILL.—I suppose you meant that it would probably cost you £50 a year.

Canon Twigg.—Nothing could be more erroneous than to suppose that we could make £50 a year by letting or by getting anything for our schools.

Dr. TRAILL.—I do not think the Lord Justice meant by letting it, but as a parochial hall.

8277. Lord Justice FITZGERALD.—It was Mr. Baker's evidence. It is not very fully reported, but he had a paper setting down £50 as the cost of maintenance, and I asked him "Don't you think that might fairly be set off against the cost of maintenance?" and he said, "I dare say it might." The idea I had in my mind was that these buildings are ample to provide teacher's residences for all the teachers, and also to provide for any parochial purposes you wanted, for which as you put value something should be allowed by the parish to the schools.

Canon Twigg.—But that would be very trifling. Our meetings are not held oftener than once a month.

8278. Lord Justice FITZGERALD.—Now, supposing the alternative inserted, and the option allowed of giving up these buildings in exchange for £2,000 for all the buildings, or £1,000 for the buildings minus the infant school, how much capital would fairly benefit them to start the new school of the minority?

Archbishop WALSH.—I fear that there may be some misunderstanding as regards the phrase "permanent arrangements." I do not think that a permanent arrangement necessarily involves breaking up the whole of the bulk sum into two portions, and handing one to the Catholics and the other to the Protestants. What I should prefer would be an arrangement for a distribution of the income according to some fixed principle. This must be borne in mind, that in addition to the claim of the Protestant minority in Sweden to their proportionate share of the endowment, and secondly, their claim which I fully recognize to the grant of a minimum for keeping up their schools, they have also, at present, a claim for the discharge of certain vested interests. It would be therefore impossible to make a really satisfactory arrangement by merely dividing the bulk sum according to any fixed proportion, but I think it quite possible to make a satisfactory, and permanently satisfactory, arrangement by drawing up a scheme which would provide for the yearly distribution of the income of this fund. To make the scheme permanent and perpetual, all that is necessary is that we should now lay down the lines which are to govern the distribution of the income from this fund, but that must, to a certain extent, be a varying amount, inasmuch as for the first few years there will be vested interests to provide for, and these will gradually die off, and will ultimately reach the stage when the Protestant community will be free from this special claim.

8279. Mr. NAIMS.—What would your Grace propose as the principle upon which the division should take place?—Well, in reference to the vested interests, we must keep this point in view. In relation to the vested interests in such a case as this, the matter may be looked at in two different aspects. First, there is the provision that it makes for the individuals concerned, the yearly payment of the salaries to the master and mistress—I believe these are the principal charges—but there is also this other aspect, that in securing those vested interests, it perpetuates, to a certain extent, the monopoly that has so long been maintained in Sweden.

8280. The Protestant party gain an advantage by this?—I think it absolutely necessary to leave that advantage in their hands, but I also think it necessary to take into account that they are getting that advantage.

8281. Dr. TRAILL.—Would you propose to carry that out by commutation, something like the Irish Church Act?—No; I should very much prefer payment from year to year.

8282. Lord Justice FITZGERALD.—There are four vested interests altogether?—My observation applies only to the teachers. For it is in securing their in-

ments, we are perpetrating, to a certain extent, the monopoly which has been hitherto enjoyed by the Protestants.

8283. **DR. TRAILL.**—Would not your Grace think it a fair thing when the total expenditure of such a large sum as £150 is taken out of the hands of the Protestants, they, being saddled with the life interests of these two teachers, should be free, just as the Church was after disestablishment, to work with reduced resources, by being able, if necessary, to reduce their staff, and that could only be met by some system of compensation, such as what took place under the Irish Church Act?—Excuse me, I think it could be met otherwise; I think the provision in the draft scheme goes a great way to meet it, up to a certain point.

8284. **LORD JUSTICE FITZGERALD.**—We set off half, because, or *Apportion*, the salaries are too large for a school that would have only one-seventh of the present income, and the £150 payable to these two people would leave nothing for the school.

Archbishop Walsh.—But in your scheme a sum is to be handed over to the governors which will enable them to have a balance over after providing for these vested interests. You will have them, I think, half of the allowance over and above, after the discharge of those vested interests. That I think very fair up to a certain point. But now observe, the school has to pass through three stages. In the first place, it has the services of both master and mistress fully secured; in the second stage it will only have one of these, it may be the master or it may be the mistress; and in the third stage it will have neither one nor the other. And therefore, if you go upon that line, I would suggest to provide for that intermediate stage through which the school will pass, and I think, on that line, you can do it in this way:—You leave the Protestant community half their proportionate allowance, free over and above their vested interests. I would leave them two-thirds or three-fourths free in the second stage, in which they would have to pay for a new teacher. I would so arrange matters with the National Board and the Commissioners of Beguards that the Protestant community should retain two-thirds, in one case, and three-fourths, in the other, of their proportionate allowance.

8285. **LORD JUSTICE FITZGERALD.**—The most unfavourable stage for them is the intermediate stage, after one falls away.

Archbishop Walsh.—Hence I would make this extra allowance.

8286. **LORD JUSTICE FITZGERALD.**—This is really an amendment. While they had two salaries and two teachers they would be obliged to pay half out of their share of the endowment, and when they have only one salary, but two teachers, they should only pay one-third.

Archbishop Walsh.—Yes, and in that second stage two different cases may arise, for it may happen that the master will drop off first, or it may be the mistress. In one case they will be put to heavier expense than in the other, hence I make the two proposals. In one case I would give two-thirds and in the other three-fourths.

8287. **REV. DR. MOLLOY.**—Would it not be simpler, provide, and equally equitable, if, having determined the minimum sum to be paid to each school in all contingencies, a clause were added to the effect that in estimating that minimum sum in the case of the borough school we should take into account whatever sum is paid out of the public fund under clause 28?—I should prefer my way of putting it. It involves less alteration in your draft scheme.

8288. **DR. TRAILL.**—Your Grace said that you had a way of your own besides?—Yes; I should prefer a different way of doing the question, and I think one more favourable to the school of the minority. I think the best way to fix the minimum is this: to go on the principle that every child in Swords has an equal right to education. I think that if we provide the Catholic school with the means of having a first class master and a first class mistress, we ought to do the same

for the Protestant schools as long as they wish to maintain their present arrangement of keeping up two distinct schools. I see it is mentioned in Lord Plunket's suggestion, or perhaps in the suggestion of the select vestry, that they might possibly be forced for want of sufficient funds to amalgamate their schools in the case of having boys and girls attending the same school. Well, I think it would be very unfair that they should be obliged to do that. In my view they should be provided with the means of keeping up the two schools. Coming to practical suggestions, I put it thus:—I would give their school every year the means of having two first class teachers, a first class master and a first class mistress. That involves, I think, an annual allowance of £150 a year under the rules of the National Board; £70 and £80 are, I think, the two sums. Whatever it is, I would take it as the basis for the minimum allowance. I think if that were paid to the Protestant community by the Commissioners of Charitable Donations and Bequests, the National Board would pay every year a certain sum to the school, either by way of teachers' salary or capitation allowance, so that the school of the minority would have under my proposal the means of securing, first the services of a first class master and a first class mistress, and over and above this the National Board would give a sum which I calculate would be £40 or £50 a year. I see that Father Mulvey happened to mention that sum of £150 in his evidence, but what I suggest gives you a principle upon which to work. The exact sum I believe £125.

CANON FURZ.—I believe it is a rule of the National Board that they will give nothing without a minimum attendance of thirty or thirty-five.

DR. TRAILL.—They can only give a grant for a school whether joint or separate, when there are thirty in the school.

MR. HART.—I understand that they have already refused to give anything to the Swords school.

LORD JUSTICE FITZGERALD.—Here is the rule (*reads*). You are right in this, that the rules treat each school under a separate teacher as a separate school, and they will not give you money for a school under thirty.

MR. HART.—There must be some qualification of that rule, for they refuse to give anything at present.

8289. **LORD JUSTICE FITZGERALD.**—They made a special order in the Swords case. They considered that having £700 a year you had no right to go on the tax-basis. But we will put it into this scheme, which will have the force of a statute, that the new schools shall be treated as ordinary National schools, and we have inquired whether the Commissioners have any objection to that, and they have not.

Archbishop Walsh.—If the Protestant community are provided with the means of securing the services of a first class master and a first class mistress, that will cost the fund £150 a year, and they will have in actual cash £40 or £50 in addition, that being the amount of the capitation grant on the present attendance. But this would only be so long as they kept up this system of separate schools, and secured the services of a first class master and first class mistress. I trust I may say without offence that from past experience of the management of these schools I should be very unwilling to see the means of securing the services of a first class master and mistress handed over irrespective of whether the services of such teachers were secured or not. I remember from the report of the former inquiry of 1855, that the Commissioners had to recommend the dismissal of both the master and mistress, as the school was in a most inefficient state.

8290. **LORD JUSTICE FITZGERALD.**—£47 9s. 8d. would be the capitation, and £120 would be the whole amount that you would give for the school.

Archbishop Walsh.—What I would give them from the endowment would be the means of securing the services of a first class master and first class mistress if they wished to do so.

8291. **REV. DR. MOLLOY.**—Does your Grace wish to name £125 as the minimum sum under the scheme?—No, that is to say I would not name it absolutely.

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Most Rev. Dr.
Walsh, Arch-
bishop of
Dublin.

Aug. 12, 1882.

Most Rev. Dr.
Walshe, Arch-
bishop of
Dublin.

8292. Dr. TRAILL.—Conditionally?—Conditionally, because if it were given absolutely, they would find it advantageous to amalgamate their schools into one. Now suppose they amalgamated the schools and formed a mixed school, then we should be under no obligation to enable them to secure the services of a first class master and first class mistress.

Mr. HART.—At present there are three schools, including the infant school which is separate.

Archbishop Walshe.—I think if you get the services for ever, of a first class master and first class mistress you should be very well satisfied.

8293. Dr. TRAILL.—And the infants could be provided for with a mistress?—Yes, and if the schools were amalgamated into a mixed school, the sum then to be paid out of the endowment for the salary might really not amount to what the Protestant community would be entitled to in proportion to their numbers. Hence, I wish to have the proportionate principle inserted for every case, so that they should always have the right to choose which mode of payments they would accept.

8294. Lord Justice FRYGROVER.—Now, with regard to another matter. I must call your Grace's attention to a practical difficulty. The Commissioners of Charitable Donations and Bequests have informed us that the Board has not either the time or machinery at its disposal to undertake the duties which are proposed to be cast upon it by our draft scheme, and they say that they must decline to undertake the administration of educational endowments, to undertake duties involving inspections or complicated calculations (read letter, Appendix B, page 396). The effect is practically that nothing will be done by the Commissioners of Charitable Donations and Bequests, and we must say in black and white, what is the amount which the Commissioners are to pay.

Archbishop Walshe.—Not the amount, I think, but the mode according to which the amount is to be distributed; and I think you may safely leave it to the joint action of the two Boards under the friendly system that will now be established, to apply a hard-and-fast rule. You may lay down a hard-and-fast rule by laying down a scheme based on the rules of the National Board.

8295. Mr. NATION.—If they get provision for two first class teachers, would not that do away with the necessity of providing for vested interests—as I understand your Grace the vested interests are to be provided for out of the £128 that you suggest?—Practically, yes.

8296. Just take the figures. There is £24,000 in the fund, and if £23,000 is deducted, as I understand for new buildings, it will leave £23,000. The annual income derived from that after deducting £100 for exhibitions will be £360, then £25 to be paid out of that will leave £335, and if there is to be £128 given to the Protestants that will leave £2407. That is what it will come to in figures.

Archbishop Walshe.—I wish to keep clear of the actual amount, I wish to go wholly on principle, and I think there can be no better principle for protecting the rights of the minority than the one I have suggested, of providing them always with the means of keeping up two efficient schools.

8297. Rev. Dr. MOLLOY.—If we provide a minimum of £128 for the governors of the old school, a certain sum will be payable under clause 28 of our scheme for the vested interests of the master and mistress. I suppose your Grace intends that the sum paid out of the fund towards the support of the master and mistress should be taken as part of the £128 which you would allow for the minimum?—Oh, yes; no necessity for paying the £128 can arise so long as you have the present teachers. So long as you have these, you have their cost excellently provided for in your draft scheme.

8298. Mr. NATION.—There is not to be a double claim for the £128 and for the vested interests?—Of course not. I have already called the attention of the Commissioners to this fact, that in providing for these vested interests you are providing for the teachers of the school.

8299. Rev. Dr. MOLLOY.—Does your Grace regard these teachers as first class teachers?—I take it for granted that they are, as they have been employed by the Governors of the Borough of Swords School when the Governors had £720 to dispose of.

Canon TWIGG.—The master is second class and we have only lately joined the Board, and he expects very soon to become, and I think he is quite capable of becoming a first class teacher, but in joining they are obliged to join at the lowest class, and he has risen from third to second and I believe he will rise to first.

Archbishop Walshe.—I leave to the governing body of the school the selection of teachers; they may take third class teachers if they like, but I give them the means of taking first if they wish. They may amalgamate their schools into one if they like, but I would leave them the means of keeping up two, if they wish to do so. I propose that there should be paid to the Protestant governing body every year the sum that would be payable by the National Board under the scale of salaries, if they were in a position to claim salary payments, that is, if the numbers were over thirty instead of under thirty.

8300. Lord Justice FRYGROVER.—You make it clear as long as there are two schools, a male and a female school, they may appoint whom they please to be teachers, and draw from the Commissioners of Charitable Donations and Bequests £128 for two first class salaries, apply as much of that as they think proper to pay their teachers, and the rest for the purposes of the school, subject to the proviso that as long as the existing teachers are there, the vested interests must be discharged in full. But I do not understand the alternative in the event of their amalgamating their schools.

Archbishop Walshe.—Because I have not yet come to the explanation of that. In the event of their amalgamation of the schools there is only one first class teacher to be provided for. It may be a master or a mistress. In that case their claim would be to have the £70 paid to them, and I would also pay to them over and above that £70 whatever further sum is required to give them their proportionate share of the endowment of the Swords school, for I take it that the £70 might sometimes be under their proportionate share.

8301. Lord Justice FRYGROVER.—I understand that the whole object of this alternative is to get rid of the annual calculation—if the proportionate share is now ascertained once and for all at once, then, it will never be less than £70, but if the proportionate share is to be ascertained *de anno in annum* in future to give more than £70, it would appear to me that the only advantage of the proposed settlement is lost.

Archbishop Walshe.—Would you kindly tell me what is the salary for a third class teacher?—A third class male teacher, £35.

Archbishop Walshe.—Suppose they employed a third class teacher as they are at full liberty to do, then they would be entitled under my suggestion to only £35 a year, and I think that justice requires that that should be supplemented by such a sum as would bring up £35 to the proportionate sum, their full proportionate share of the endowment.

8302. Dr. TRAILL.—Why should they not be entitled under your Grace's plan to £70?—If £70 is their proportional share, of course they should get it.

8303. But under the combined-school plan they would be entitled to have £70?—Not surely if they choose to employ a third class teacher. I consider they are entitled in every case to their proportionate share of the endowment, and they are entitled to the means of having any class teacher they choose under the National Board's rules, and if the amount of salary assigned under one of those scales fall under the amount assigned under the other, I would pay them according to the arrangement of the more liberal scale.

8304. Now about the £128; do I understand your Grace to say that you would give the £128 only if they employed a first class master and mistress to absorb the whole of it, or "I will give the whole £128 and you may employ first or second class

master afterwards if you choose to keep the balance."—No, on the contrary, I propose to pay them the sum actually payable under the National Board to the teachers actually employed by them.

8305. But suppose he is not certificated?—Then in that case they get their proportionate share of the endowment.

8306. I understand that your Grace's proposal was to pay the £70 and £55, as a proper provision for the school, leaving it to their judgment and self-interest to apply it?—On the contrary, I should be sorry from what I know of the past history of the school to hand over any sum unconditionally. If you read the report of the Commission of 1855, you will see that there is good ground for that.

8307. Lord Justice PRINGLE.—But these matters could not occur again as long as they are in connexion with the National Board, because the Board would stop all grants on insubordination being reported?—Yes, and then I should object to their getting the £128 a year.

8308. Lord Justice MANN.—Do I understand your Grace's plan? Suppose that in the teaching of the two schools they employed a third class male teacher at £18, and a female at £27; that makes £45—what would you allow them in addition to that £45?—Whatever sum would be the balance, the balance of the sum they would be entitled to under the proportionate scale.

8309. I wanted to know whether your minimum would be £128, which would pay a first class male and female teacher, or whether it would be a proportionate share according to number?—No, their only claim to that minimum would be for providing the Protestant school with first class teachers. If they did not provide first class teachers they would have no claim to it, but I would provide them with the means.

8310. Dr. TRAILL.—That is your plan?—That is my suggestion and my plan. I would give them the means of getting good teachers, by giving them the money that they would get from the National Board if they had the numbers that would entitle them to that class of teacher.

8311. But if it was to be stated that they were only to get as much money as under the rules of the National Board they could obtain—under the National Board they could obtain nothing supposing they had not the numbers?—I say under the scale of the National Board, supposing they had the numbers.

Dr. TRAILL.—That is very fair.

8312. Canon TRIGG.—Are those vested interests to be paid out of the endowment or part of the allowance?—Is the allowance to be supposed to be paid besides?

Dr. TRAILL.—That is instead of the share?

Archbishop WALSH.—As a means of securing the minimum.

8313. Rev. Dr. MORTON.—I think your Grace would help us to understand your plan more thoroughly, if you would kindly state how it would work at the first setting out, when the vested interests of the master and mistress are actually in existence. They are at present £130 a year?—Your proposal is, I think, a very reasonable one for the present state of things in the school. You propose to provide for the vested interests in such a way as to leave the management of the school to a body having one-seventh of the proportionate allowance for an endowment. That I consider a fair arrangement.

Mr. HART.—And during the continuance of the vested interests the school of the minority would be in a worse condition than the other.

Archbishop WALSH.—Pardon me. Perhaps it would be better to put it the other way, that after the closing off of the vested interests the school of the minority would be in a better condition. I think the condition would be good in both cases.

8314. Dr. TRAILL.—Even if they were to spend the money in the most extravagant way, would you require them to spend the £128 on the two teachers?—No, if they get good first class teachers willing to serve them for less, or for nothing, but I

would require that they should employ teachers, and then make what bargain they liked with the teachers, but the payment should be regulated by the classification of the teachers under the National Board.

Mr. HART.—And nothing to maintain the buildings, except what they would get from the National Board.

8315. Lord Justice PRINGLE.—Your present master, Canon TRIGG, is a second class teacher?

Canon TRIGG.—Yes, classified so.

8316. Lord Justice PRINGLE.—What is the mistress?

Canon TRIGG.—She is a third class teacher, she has lately joined.

8317. Dr. TRAILL.—They were not trained under the National Board at all?

Canon TRIGG.—That always puts them under a great disadvantage.

8318. Dr. TRAILL (to His Grace).—Would it not be better to give them £100 and let them go, instead of wavering between the £70 and £120?—If they take £100 and are satisfied with it, it will, of course, save a considerable portion of the fund.

8319. Lord Justice PRINGLE.—Now, I want to put these figures and see whether I understand them or not. The present teachers are a second class male and a third class female teacher. Under the rules of the National Board, the male teacher would be entitled to £44, and the female to £27 10s., making together £71 10s. Under your Grace's proposal the governors would be entitled to draw out of the endowment the class salaries, £71 10s., but their existing teachers are paid £130 a year, and during the continuance of these vested interests they would be entitled to £55 a year of that, to be paid to them out of the general fund, so that they would draw for the present £135 10s. a year—we will not trouble about intermediate stages—but as soon as the vested interests drop, if they employ a first class male teacher and a first class female teacher, they would be entitled to draw the first class salaries, £135 a year, as long as they employ two first class teachers, but if they choose to employ teachers of the same class that they have now, they would only get £71 10s.—They would only get £71 10s. if their proportionate share is not in excess of the £71 10s. I give them their choice in each case of having their proportionate sum, or this provision for providing teachers. I may mention that I regard the basis that Dr. TRAILL lays down as the only logical basis of an equitable settlement, that is to say, that the Protestant children have quite as good a right as the Catholics to get a good education, and the arrangement should be carried out on the principle that each school should be thoroughly efficiently equipped to give a good education to the children in each. So I provide them with the means of doing that, and as I provide them with the means of doing it, I consider that I fully satisfy their fair demand.

8320. Lord Justice PRINGLE.—We must see that the Commissioners of Charitable Donations and Bequests would act on the certificate of the National Board Commissioners, that there were first class teachers employed?—Or on a joint application from the two governing bodies; but that is all matter of arrangement.

8321. Mr. HART.—These salaries of the National Board have varied from time to time. Suppose there was a rule throughout Ireland, that the first class teachers were to be raised to £80 a year, would you increase the allowance out of the joint fund accordingly?—That would necessarily follow, and it is better not to lay down a hard-and-fast rule—better not to put down any figures. I think this a satisfactory arrangement not only in Swords, but throughout Ireland; no matter what amount is given for the protection of a Protestant minority, I, for one, shall never object to it provided only that it be given on a fair and definite principle such as this.

8322. Mr. HART.—The equivalent of the salary of the first class for the time being under the National Board?—Yes.

Aug 16, 1888

Most Rev. Dr. Walsh, Archbishop of Dublin.

Aug. 18, 1886.

Most Rev. Dr.
Walsh, Arch-
bishop of
Dublin.

8323. Canon Feigy.—Then do I understand that with respect to the division the capital that would yield the sum would be kept separate?

Dr. TRAILL.—On the contrary all kept together!

8324. Lord Justice Fitzgerald.—No one has objected to the proposal that the whole capital money shall be kept by the Board of Charitable Donations and Bequests, and that what is to be divided de anno in annis is the income only, there is to be no further drain on the capital, except there may be a draft for the purpose of building.

Archbishop Walsh.—In reference to making a permanent allocation on the present numbers, I must say that in expressing a preference for this course, I am induced by what Canon Feigy stated in his evidence as to the average attendance. He stated that the average attendance when he came to Swords in 1890, was about sixty-three or sixty-two. The attendance gradually increased from that up to the year 1873, when it reached to ninety, and it has gradually decreased till it is now in the same position as it was in 1840. It is decreasing as present, and I think I am not making in any way a suggestion unfavourable to the interests of the Protestant community in the Borough, when I say that notwithstanding that progressive decrease which seems to be going on, I am, for my part at all events, willing to take the present state of things as the basis of the permanent arrangement.

8325. Rev. Dr. Moller.—Would your Grace propose to make the distribution of the fund founded on the present attendance of children in the schools, a permanent one for ever; so that, for instance, if the number of children in attendance in either school were by any change of circumstances to divide down to ten, you would make the same provision for them that you would in the present state of things?—Yes; so long as there was an efficient school kept up in the place.

Canon Feigy.—And I think the question might be put the other way too.

Archbishop Walsh.—You have in the scheme, Lord Justice, a clause providing for the case of the school ceasing.

8326. Lord Justice Fitzgerald.—Now the next point was in reference to the composition of the governing bodies.

Archbishop Walsh.—Yes; the point I wished to mention about that, is that it seems to me that there is a strong and preponderating ecclesiastical influence set up in the governing body of the Protestant schools, while the governing body of the Catholic school is constituted on a different principle. I do not at all object to what you have done in the Catholic school. I think the ecclesiastical representation is perfectly fair—the Archbishop of the diocese and the parish priest of Swords. I do not see how you could have put a smaller representation, and I do not see any ground for a larger representation, except upon this ground, that it is unsatisfactory to have a preponderating ecclesiastical influence kept up in a different body, in the case of the Protestant school, and so much influence in the case of the Catholic school.

8327. Lord Justice Fitzgerald.—To what ecclesiastical influence do you refer?—You propose to have in the Protestant body the Archbishop, the Vicar, and the Vicar's Churchwarden, who, I understand, is a person nominated by the Vicar.

8328. Yes; but he is not an ecclesiastic?—No; but he is nominated directly by ecclesiastical authority, so that you really give a direct ecclesiastical representation to three out of six, and it so happens moreover that you put down an ecclesiastic as one of the three remaining members.

Dr. TRAILL.—He happens to be a country gentleman, but I quite agree with your Grace and I am quite ready to strike them all out.

Archbishop Walsh.—I am quite sure that if you left it to the population of the place, there would be no question as to retaining the official ecclesiastical representatives—the Protestant Archbishop and the Vicar

in the one case, and the Catholic Archbishop and the parish priest in the other.

8329. Lord Justice Fitzgerald.—You will observe that the laymen on the Protestant body are to be elected by the registered vestrymen, but the laymen on the other side are to be co-opted as the vacancies occur. These arrangements are apparently inconsistent to some extent; but the reason was this—we had a constitution ready made in the case of the registered vestrymen, but there would have been great difficulty in creating a constitution on the other side, and therefore fell back as co-optation. What is your view about that?—In the original proposal co-optation was suggested in both cases. You changed this into election in the Protestant case, and you left the proposal for the Catholic unchanged.

8330. Lord Justice Fitzgerald.—Having no constitution in the case of the Catholics?—Having no constitution already made. But since the Commissioners kindly sent me the minutes of evidence a few days ago and since I saw that that question of election had been raised, I have thought over it carefully, and I think it would be absolutely impossible to construct a constitution. I have faced the question in every way and with every desire to frame a constitution if one could be framed for the Catholic body. As to the mere profession of the Catholic religion, it would not be difficult to make a record of that in a public document, but I should object to that being considered sufficient to constitute a person an elector in the management of a Catholic school, as a person might call himself a Catholic and yet not stand to his religious duties.

8331. Lord Justice Fitzgerald.—The only thing we could get was the list of rectories and there would be great difficulty in proving who was justly entitled to vote.

Archbishop Walsh.—And it would give rise to all sorts of wrangling. I do not see what tribunal would decide all those questions that might arise. But I would make this suggestion. If you constitute two ecclesiastical ex-officio and four laymen, I think you might leave the ecclesiastical to take care of themselves, and I would for my own part prefer not to take part in the proceedings when a lay member was being co-opted.

8332. That is that the co-optation of the laymen should be by the remaining laymen?—Yes; that it should be always by the laymen themselves, leaving the ex-officio element out of the question altogether.

8333. Then it would be necessary to provide that they should be obliged to co-opt whenever a vacancy occurred, and if they neglected to exercise the right till the lay representation was reduced to two, then I suppose the whole board should co-opt?—Yes.

8334. Rev. Dr. Moller.—Would you prevent them from co-opting an ecclesiastic if they proposed to do it?—Oh, no. I see there is no restriction, but then I ask the Commissioners to take into account what is proposed to be done in the case of the Protestant community. I think our people will have very strong objections to seeing a strong ecclesiastical influence kept up in the other school.

8335. Dr. TRAILL.—I think you are over-estimating the ecclesiastical influence in the Protestant case, because I find that persons are named as churchwardens who are very often not ecclesiastical in their ideas at all—I think for the general public in Swords it would be more satisfactory to have four laymen ex-officio, and on the Catholic side to have the ex-officio members co-opted by the lay members.

Lord Parnet.—I should be quite in favour of that.

8336. Dr. TRAILL.—Would you not prefer the whole board to be entirely lay, considering that this is an entirely lay arrangement—compensation for the loss of a Parliamentary seat?

Archbishop Walsh.—You forget that the Archbishop had a very large property in Swords when the Church had her own in this country.

8337. Lord Justice Fitzgerald.—There is one question I must ask your Grace before we part from this matter. You observe in the 16th clause we propose that £100 a year should be set apart for exhibitions,

the examinations to be conducted by an independent body, the Commissioners of National Education, and the best child in either school to win in competition in elementary education!—Yes.

8338. We were induced to insert that clause, and thought it a very valuable one for several reasons. In the first place we had a great deal of evidence from the Catholic gentlemen examined, that in the old days the exhibitions were regarded as important, and that they were keenly competed for, and we also thought that as there were both National schools it would be a very healthy thing that there should be some competition of that sort between them—we see how schools are being stirred up under the Intermediate Education Act—and we also thought that where there is such a large sum, £720, devoted to the interests of a small place like Swirde, a fair share of it should be devoted to giving to the best children of both schools an opening in life to take them further on. Now did you take into account that deduction?—Oh, yes, I am quite in favour of that deduction, and I may remark that it is in consequence of this provision for competitive endowment that I think that the Protestants have a strict right to be provided with the means of first class teaching. In any part I have taken in discussion on the educational question in this country I have been constantly objecting to the present system where the competition is between one set of people who have every sort of assistance from the State and others who have none. I wish to have that remedied all round. (To Dr. Traill.) There is one other matter you touched upon in reference to the appointment of an administrator. You seemed to think that that proposal would have the effect of putting some very special and extraordinary power into my hands of setting aside the parish priest and appointing an administrator.

Dr. TRAILL.—I should be very glad to find I was wrong. Archbishop Walsh.—Well, let me state that this matter is seriously misunderstood. I think it important that the governing body should be kept in a state of efficiency. Vacancies occur from time to time in the office of parish priest as in all other offices, and if the scheme were to stand without some provision to meet that case, then the *ex-officio* representation would for the time being be left without a very important person. We must, when the office of parish priest becomes vacant, appoint temporarily an administrator to act until the office of parish priest becomes filled.

8339. Dr. TRAILL.—I had in my mind the O'Keefe case, in which an administrator was forced on a parish over the head of the parish priest, and it was held by law to be a good appointment, because it was held on appeal that the office being held by contract, the law would not interfere!—But you speak of arbitrary control. The Archbishop or Bishop has no power whatever of acting arbitrarily in a matter of this sort. We have a very fully defined code of laws.

Lord Justice FRYGROVE.—Those were the laws on which Father O'Keefe relied in that case.

Dr. TRAILL.—I understood them to be *ex-officio* administrators!—I have given the explanation that I wish to give.

8340. Lord Justice FRYGROVE.—Should the parish priest be incapacitated, what is the mode of administering the parish during his incapacity?—During his incapacity an administrator then acts.

8341. Would there be any objection to put in "during the vacancy of the office, or during his incapacity" or would that merely be an explanation of the ordinary law of the Roman Catholic Church?—No, it would be merely an explanation.

8342. Dr. TRAILL.—That would entirely get over my objection, because I was only contemplating a case in which an administrator was forced on a parish!—I think a reference to "the laws, ordinances, and discipline" of the Catholic Church came out very often in that very case. I see no objection to that reference. May I make one other remark to Dr. Traill? You say here, Dr. Traill, in reference to the "Church of Ireland"—now I trust that the Commissioners will see

that I have tried as far as possible to avoid all matters that are contentious, but you have made this statement in your printed paper, that "no other Church claims or has claimed that title than the Church commonly known in this country as the Protestant Church, and that it is a wanton insult, promoted only by a dog-in-the-manger policy, to seek to deprive that Church of that title."

Dr. TRAILL.—I should be very glad to be corrected if I am wrong there, too, your Grace.

Archbishop WALSH.—I have noted down three or four extracts from authoritative documents, in which the title of "Church of Ireland" is claimed and taken by the archbishops and bishops of the Roman Catholic Church in Ireland. They use indiscriminately the title of "the Irish Church," and "the Church of Ireland." Sometimes they use one and sometimes they use the other, and in all cases they use them as if it never entered into their heads to think that anybody would think of claiming the title for themselves. The first extract I have noted is from the pastoral letter issued by the bishops in the Synod of Thurles, in 1850, where the phrase "Irish Church" occurs. The second is from the pastoral letter from the National Synod of Maynooth, where "the Irish Church" is again used to designate the Church which was then in Synod; and I have two letters here that were published in 1850 by a committee of bishops, signed in the name of all the bishops, and in both of these the phrase "Church of Ireland" occurs. "This committee with all the weight and authority which the Church of Ireland can impart to it." Those are the very words used.

8343. Dr. TRAILL.—What was the date of that?—The 8th of July, 1851, and I should say that I have taken these from documents that were issued before the disestablishment of the Protestant Church was thought of. And the other is the 35th of July, 1851, and the words are—"Charged by the National Council of the Church of Ireland assembled at Thurles." Now, I do not want to go into the question of which Church has the right to make this claim, but I state, as a matter of fact, that our Church does make the claim, and has always made it.

8344. Dr. TRAILL.—What is the earliest date when you say it was made?—I should say from the days of St. Patrick.

Lord Justice FRYGROVE.—Then we get into a question of personal identity.

Archbishop WALSH.—The earliest date that I have noted here in 1850, and the reason I took it up was that it was the first that came to hand. I find it in a very interesting collection of the writings of one of my predecessors, Cardinal Cullen. It occurs there in one of the earliest letters in the very beginning of the work. I find it also in an Appendix at the end. The Appendix contains a dissertation which he read when he was a priest in Rome. It was read by him before he came, body there in the year 1816—and repeatedly throughout he speaks of the Church of Ireland, "*Chiesa d'Irlanda*," and "*Chiesa Irlandese*." My object in mentioning these facts, Dr. Traill, is to remove the impression from your mind that no other Church than the Protestant Church claims or has claimed the title, as in your printed statement you allege that no other Church claims or has claimed it.

8345. Dr. TRAILL.—My object was to see if the claim was made, for I asked that several times and I never got that information before.

Archbishop WALSH.—Here is another instance. It is on the cover of our catechism, in the hands of every child at school in Ireland, and of many who do not go to school but who merely go to the chapel and churches on Sunday to learn the catechism, in our common catechism, the inscription is on the title-page—"Approved by the Cardinal, Archbishops, and Bishops, for general use throughout the Irish Church." There are probably a million copies of that little book in circulation in the country at present, and have been for years. So you see there can be no doubt at all as to the fact of the claim. I do not at all wish to press my statement beyond this point of fact.

Aug. 18, 1885.

Most Rev.
Dr. Walsh,
Archbishop of
Dublin.

8345. Lord Justice FRY-GREEN.—As your Grace has mentioned this subject, I should be glad to explain our position with respect to it, especially having regard to Dr. Trill's observations. We consider ourselves charged with a judicial duty in settling these schemes, a duty in which our personal opinions ought not to weigh with us. The question as to the title of the Church of Ireland, as meaning the Church formerly established by law, is one that we cannot possibly say has not been raised and does not exist. Strong opinions have been given that the title "Church of Ireland," as recognized by law, is confined to the Church which was formerly established by law in Ireland under that name.

Archbishop Walsh.—Is it that the title is confined to that Church?

8347. Lord Justice FRY-GREEN.—I say that opinion has been expressed, not that any binding authority has declared it. I only say that that opinion is entertained strongly, and has been put forward upon legal grounds; on the other hand it has been denied. There is also a disputed historical question of the identity of the Church which it would be perfectly impossible for a tribunal such as this to approach at all. Having regard to the fact of the question being so raised, my learned colleagues and myself as Judicial Commissioners, I believe with the concurrence of the other members of the Commission, came to the conclusion that our duty plainly was to do nothing that would use the legislative powers (for they are legislative powers), vested in the Commission to determine that question, but that we ought to leave the question where we found it, that is to say, that we ought to do nothing to negative or weaken the claim on the one side, and nothing to confirm it on the other. Up to the present we have, perhaps, not solved the difficulty, of keeping within that rule, but that is the rule that we have determined to follow. In the case of the Swedish school, all of us except Dr. Trill, thought the difficulty did not arise, for we were able to describe what we had to deal with without using the controversial title at all, but there are other cases in which we may have to face the question. Hitherto the question, instead of being solved has been passed by over and over again, not by us, but by other authorities, for example, in framing the charter granted to the Representative Church Body, the question was undoubtedly raised, and that it was not settled appears in the formula by which the Representative Church Body describes itself, namely, "The Representative Body of the Church of Ireland, incorporated under the name of the Representative Church Body." It also arose before the Commissioners of National Education, who, with all respect, evaded it in a most extraordinary manner by attaching the letters "E.C." to the members of the Church to which I belong, with a note appended explaining that this means not English Church or Established Church, but "late Established Church." The legislature itself has been equally peculiar, because it has adopted a habit of speaking of the Church as "the Church which in the Church Act of 1869 is referred to as the said Church." We find all these precedents very unsatisfactory, and we have been endeavoring to find a form by which we may recognize the Church as known by the title which it adopts itself, without denying or evading that the title is exclusively hers. There is no doubt that the formerly Established Church claims this title, and by a higher authority than that of Parliament, and also that it is the name by which it is referred to in the "Irish Church Act, 1869," and in other statutes before and since. I should be very sorry if it were supposed that the Commission had on our side deliberately done anything to disparage the title or the claim of the Church to make it, and on the other hand I am bound to say that I did not feel it my duty to go out of my way, and my colleagues, except Dr. Trill, agreed with me, to put into our scheme anything that might have legislative effect upon a question that we found to be so disputed. With these observations, I think we

may in the present case adhere to the plan that we have adopted. An objection has been put forward that the name does not occur in this scheme, but the only question for us is, is the scheme intelligible without it? If it is not open to ambiguity, there are many reasons for not starting the question where the opposing parties are both interested in the scheme, and I for one should think it one of the merits of this scheme that it did not contain any disputed statement which it was unnecessary that it should contain.

8348. Archbishop Walsh.—I think, generally, my suggestions have been in the way of meeting the views of the representatives of the Protestant body, and I should be very anxious to meet them on this point as on the others. And if it was the fact that the Catholic Church in Ireland did not claim this title, we should have no reasonable objection at all to its being adopted by the Protestant body, but I have shown that the title has been claimed by us.

Dr. TRILL.—I certainly never heard of it before.

Archbishop Walsh.—I think the instances I have mentioned are quite sufficient to show that it is a claim that has been made for many years past, and without reference to any question that has arisen with respect to any counter claim made by the Protestant Church.

8349. Rev. Dr. MOLLOY.—Before passing from this subject, I should like to say that I entirely concur in the remarks that have been made by Lord Justice FRY-GREEN. We must regard it as a matter of fact, that a controversy exists about the title claimed by the Protestant Episcopal Church in Ireland; and from the beginning I have contended that the authority of this Commission ought not to be used to settle that controversy either one way or the other.

8350. Archbishop Walsh.—In the objection lodged by the sub-committee of the General Synod, it is said that "the Church of Ireland" is the only title by which it can be legally designated. The Lord Justice, I think, has mentioned another title which was given to it by Act of Parliament, and I suppose the title is an Act of Parliament is legal.

8351. Lord Justice FRY-GREEN.—I did not. I mentioned a case in which it was referred to, but not named, in which the title was omitted, and it was referred to as "the Church which was referred to in the Irish Church Act, as 'the said Church.'" I am not aware of any higher authority than a Royal proclamation for applying any other title than "the Church of Ireland," to the lately Established Church.

8352. Archbishop Walsh.—We do not object to any dignitaries of the Church bodies of the Protestant community taking any title they like, so long as they do not claim for themselves the exclusive use of a title claimed by us, and this is one that we claim and we have always claimed, and therefore we protest against its being given exclusively to any other.

8353. Lord Justice FRY-GREEN.—I do not think any solution of the matter can be found by giving any other name, than that of "the Church of Ireland," to the Disestablished Church, because that is, so far as I am aware, the only name for which legal validity can be found. But I perfectly admit that a question arises as to the exclusive use of that name, and therefore it occurs to me that the only solution which is open to us—the precise terms of it are not so easily settled—is one in which that title will be used as the title by which the Church is known? I wish to explain why it is that I am unable to consent in any way to the giving of this title to the Protestant Church in this draft scheme. It is not given, but it is suggested that it should be given.

8354. Rev. Dr. MOLLOY.—I have here a copy of the Dublin Gazette of Friday, April 3rd, 1885, and it begins with a proclamation of Her Majesty, in which the Protestant Church, is designated "the late Established Church of Ireland" in one place, "and the Protestant Episcopal Church of Ireland," in two other places.

8355. Lord Justice FRY-GREEN.—That is the proclamation to which I have already referred, and I think that even the most ardent advocates of prerogative will not

maintain that the Queen has power to give a new name to an old Church.

8354. Archbishop Walsh.—There is a serious difficulty with respect to the conscience clause in your scheme—article 23. The Commissioners are probably aware that in the year 1856, a conscience clause substantially identical with this, and perhaps absolutely identical, was adopted by the managers of the Protestant schools in Swords, as an arrangement to give satisfaction to the Catholic community, and to make the school really available for all the inhabitants of the borough. That was done in the year 1856. In the draft scheme proposed by the Protestant community it is stated that it was done in the year 1853. There is a difference of only two years, but the difference is of vital importance. For it was in 1853, that the Catholic children were withdrawn from the school, and even this slight concession was not made for two years afterwards. The Royal Commissioners state in their report, that it was not made until after the issue of their Commission, and within a few days of their actually visiting the school in Swords. There was a public meeting of the inhabitants of Swords, held on the following Sunday, to protest against it, and I find amongst the movers and seconders of resolutions at that meeting representatives of the families, and in some instances the very identical individuals who are named now as the representatives of the lay body in Swords. The names of Foster, Curran, Leachman, and Bowden, appear in making that public and unanimous protest against the adoption of this conscience clause as being a satisfactory settlement. That was done in the year 1856, I say, and not as they state in the year 1853.

8357. Canon Fyffe.—As who state?—It is stated here in this draft scheme. There is a vital difference of two years. And in the meantime, the National school had been established.

8358. Dr. TRAILL.—You do not object to the conscience clause in the present case?—Surely. It was objected to on that occasion as a clause by no means satisfactory, and since the date of that meeting, 1853, the Commissioners of National Education themselves have abandoned it as unsatisfactory, and they have adopted a totally different conscience clause, which I think is as satisfactory as any conscience clause can be in such circumstances.

8359. Lord Justice FREDGROVE.—It will be necessary to make an alteration in that conscience clause, in consequence of a letter we have from the National Board, because they require it to be distinctly stated, that so long as the schools remain subject to their Board, they will remain subject to their conscience clause.

Archbishop Walsh.—But this was their old conscience clause, and they abandoned it and adopted the present one; and in the year 1860, Lord Randolph Churchill and Lord Justice FREDGROVE questioned the witnesses before them rather closely on this matter, the Rev. Mr. Boyce and Canon Twigg, and pointed out to them that there was a vital difference between this conscience clause of the Swords school and the conscience clause of the National Board. The one allowed children to be present at religious instruction given by teachers of a different creed from their own, provided that the parents did not object, and the other excluded them from being present, unless the positive assent of the parents was given, which is a very different thing.

8360. Dr. TRAILL.—In the National Board one satisfactory to your Grace?—As satisfactory as such a clause can be in the circumstances.

8361. Mr. NAHEM.—Here is the rule (hands document to witness).

Archbishop Walsh.—(reads rule).—"No pupil who is registered by his or her parents or guardians as a Protestant is to be permitted to remain in attendance during the time of religious instruction, in case the teacher of such instruction is a Roman Catholic, and no pupil who is registered by his or her parents or guardians as a Roman Catholic is to be permitted to remain in attendance during the time of religious instruction in case the teacher of such instruction is not a Roman Catholic;

and further, no pupil is to be permitted to remain in attendance during the time of any religious instruction to which his or her parents or guardians object."

8362. Dr. TRAILL.—There is another important point that your Grace's observation has just called my attention to, namely, the objection that came from the National Board, where they point out that the new governing bodies of the schools should be the patrons?—The school committee is in Swords the patron, I think.

8363. Dr. TRAILL.—One of my objections to this scheme was, that though it was quite right to reserve the personal rights of the two managers, the parochial clergyman and the parish priest, I objected to the future governing bodies not being patrons, which they are not in this scheme. I think that the Roman Catholic governing body should be the patron of the one and the Protestant governing body should be the patron of the other, and that involves the power of appointment and dismissal of the manager, reserving the rights of the present clergyman.

Archbishop Walsh.—All over the country there seems to be a general agreement that the local clergyman should be the manager of the school.

8364. Mr. NAHEM.—Do you approve of the provision by which the parish priest is to be the manager?—Yes, and I should object to Swords being made an exception to all the other parishes of this diocese.

8365. Dr. TRAILL.—If I am not greatly mistaken, it is clearly necessary that the manager shall be subject to the patron?—I should object to have any exceptional enactment made.

8366. Dr. TRAILL.—If the Commissioners are to take cognizance of the governing body it must be by recognizing them under the Board's rule 102, namely, that when a school is under the control of a school committee such school committee is the patron, and recognizing in them as such the power of appointment and dismissal of manager.

Archbishop Walsh.—You seem to lose sight of the facts of the case altogether. What I stated was that I should object to the introduction of a principle of management into Swords school which would make Swords an exception to all the parishes of the county. You state that at present this principle which you describe is in force. Do you mean to say that at present Father Molloy is not the manager of the National School at Swords?

8367. Dr. TRAILL.—No, I never said so, he is of course the manager, but the question is, who is the patron, who appoints the manager, and whether the new governing body is to be the patron for the future?

8368. Rev. Dr. MOLLON.—The Commissioners allow, as an alternative course, the plan which is adopted in our scheme, namely, that the vicar and the parish priest shall be the managers. But they require that if this course is followed it must be clearly stated on the face of the scheme itself.

Dr. TRAILL.—It is in the scheme at present?—It is, and it was evidently the intention of the framers of the scheme.

Mr. NAHEM.—I think it substantially carries out the object.

8369. Archbishop Walsh.—The only other point I wish to mention is this—(To Dr. Traill). You seem to think that I made a number of suggestions to some of the Commissioners, and so I think it right to state that I really made but one suggestion, which was to put in a clause about the administrator, allowing the alternative of substituting him in the absence of the parish priest.

Dr. TRAILL.—I did not wish to say anything offensive to your Grace in the matter, but simply to point out a matter that I thought was a fair object of criticism.

8370. Rev. Dr. MOLLON.—With regard to the limits of the borough of Swords which we must define in some way or other, I find that the vestry object to defining the borough of Swords, as an area extending two miles in every direction from the Round Tower. In your

Aug. 21, 1867.

Most Rev.
Dr. Walsh,
Archbishop of
Dublin.

Aug. 16, 1888.
 Meet. Rev.
 Dr. Walsh,
 Archbishop of
 Dublin.

evidence, Canon Twigg, you were asked what was the area of the borough, and you said "the area of the borough is difficult to define. A commission in the reign of Elizabeth decided that the area should be a radius of two miles on all sides of the town," and yet this is the very definition you now object to.

Canon Twigg.—I had a note book when I was before the Lord Chancellor, and his lordship and I read out of the note book the exact statement in the report of the Municipal Corporations Commission, in the year 1833, and the statement which I gave was that the area of Swords was defined with certain limits, north, south, east, and west.

8371. Rev. Dr. Mooney.—The first thing you said was that it was an area extending two miles all round the town.

Canon Twigg.—If I said that I said what was wrong, because I had a note book and I read out of the note book.

8372. Lord Justice Fitzgerald.—It is only material for qualifying children to compete for exhibitions, but if we put the old vague description into the scheme it will be impossible to tell whether the children are qualified, and we must put it down on the Ordinance map so that any one can see whether each child's residence is inside or outside the line. Can you see any practical object in objecting to this?

Canon Twigg.—The objection is this that inside of the area of two miles radius from the Round Tower is the village of Cloughra, where there is a school with an average attendance of seventy children. All those children would be by your definition brought inside the borough, and be living in the borough.

8373. Rev. Dr. Mooney.—Are you quite sure of that, because we have evidence to the contrary—I asked that question?

Canon Twigg.—I am as certain as I can be of anything. I went to Hodges and Piggie's, and I got the Ordinance map, and I got them to map a radius of two miles from the Round Tower, and that included Cloughra.

8374. Lord Justice Fitzgerald.—Is there any objection to children who live in Cloughra being allowed to compete for those exhibitions. Each child must attend the school in Swords, for 100 attendances in each of three consecutive years, and cannot be going to Cloughra school or any other school; one of the objections strongly urged was that we ought not to leave so much money in this little place of Swords, but that it ought to be applied to technical education in Dublin, and goodness knows two miles radius is not too far to extend the opportunity of competing provided the children attend your school.

Canon Twigg.—If you do so we do not object to it, but it is defining the borough in a way that it has never been defined before. I can speak with great positiveness about that. I am quite sure that Cloughra was never held to be inside the borough.

8375. Lord Justice Fitzgerald.—We have it clear that from the time of Elizabeth it was never defined at all, because the order in Elizabeth's time recited that they could not tell what the boundary was, and in the year 1855 we find the same difficulty still existing.

Canon Twigg.—In the report it was stated that the order was made in Elizabeth's time, but never acted upon, and I read the last part.

Dr. TRAILL.—You read the first part and forgot the last.

8376. Mr. Baker.—This question of radius was considered by the vestry of Swords, and they objected to it on this ground that capitation was the foundation of the division of the annual income, and in relation to that they were strengthened by the idea that the borough of Swords must have had a very clearly defined boundary originally when the voters voted for the members of Parliament out of it; but if it is now settled that the capitation question no longer exists then the contention of the vestry in the matter is at an end because they thought the capitation question was a very important one.

8377. Lord Justice Fitzgerald.—The children attending Cloughra school could never by possibility come in under any clause of this scheme.

Mr. Baker.—If they lived within the two miles radius they could.

8378. Lord Justice NASH.—If they had to come from Cloughra they would have to attend Swords school.

Rev. Dr. Mooney.—Have you had it measured?

Mr. Baker.—I do not intend to say whether it is or not, but at the last meeting they said they did not object to the two miles radius provided it did not include Cloughra.

Canon Twigg.—I had it measured, and I went to Hodges and Piggie, and I got a gentleman to make out a two statute miles radius all round the Round Tower, and Cloughra is inside.

8379. Lord Justice Fitzgerald.—Is Cloughra in your parish, Canon Twigg?

Canon Twigg.—No, it is a separate parish.

8380. Rev. Dr. Mooney.—More than once I asked Mr. Mansell to try and get us accurate information of the subject, and present it to us in the form of a map, setting out the limits of the borough of Swords. He told me—I think it is in his printed evidence—that he found it absolutely impossible to do so; and then finding ourselves compelled to adopt some definition to make it clear for the future, we adopted the two-mile radius, which we thought would meet the general wishes of the inhabitants. What definition would you now suggest, Canon Twigg?

Canon Twigg.—I would suggest that you should leave the thing as it is.

8381. Lord Justice Fitzgerald.—The thing as it is is a matter of continual squabbling, and we must do it: Mr. Boyce stated on the former occasion that the governors resolved that the borough should be understood as meaning the ecclesiastical parish. Now I believe a great deal of the parish extends more than two miles from the Round Tower, and the boundary in other places is much nearer than two miles, and you remember Father Malachy's evidence about children coming from a place called "The Tap," not elsewhere not within the ancient borough. We must once and for all fix what is the distance from which children may come to Swords to compete for exhibitions.

Mr. Baker.—Could you not adopt the two miles radius excluding Cloughra?

8382. Lord Justice Fitzgerald.—But if a child is living in Cloughra, and if his father sends it to Swords school, and it gets in 300 attendances in three years, why exclude it?

Dr. TRAILL.—If the alternative suggestion of a minimum sum from year to year was adopted this difficulty would not arise.

Lord Justice Fitzgerald.—I should prefer that any child attending the Swords school 100 days in the year (no matter where he came from), should be at liberty to compete, but on our scheme, we put the limit because otherwise children could be brought in from a distance for the purpose of raising the capitation.

Mr. Baker.—The two miles round is greatly in excess of what the old borough was.

8383. Lord Justice Fitzgerald.—It is in one direction but not in the other.

Canon Twigg.—If any gentleman wishes for information on the subject he will find in the Record Office the Report of the Commission on Municipal Corporations in the year 1833.

8384. Mr. NASH.—Does that propose to define the actual line?

Canon Twigg.—It does not propose to define the actual line but it gives certain boundaries.

8385. Mr. NASH.—So that it is wholly unsatisfactory. If we were to adopt that all the children living on the border would be perfectly uncertain whether they had a right or not.

Lord Justice Fitzgerald.—Here is Mr. Boyce's own evidence in 1879:—"Do you know what the

boundaries of the old borough were—I do not—I found much difficulty in ascertaining the borough boundary when I brought the matter before the board, and they made a rule that for the future the borough should be understood to be the Vicar's ecclesiastical parish. That was as close to the old borough as they could go." Well, we know that that means a great deal more than two miles in one direction, and less in another, and we want to put an end to all that difficulty. Now, if we come to the conclusion that we are to divide the money on a fixed basis, I should certainly advocate leaving out the condition as to residence altogether, because if it is no longer the object of either party to raise the number in the schools, which we had to guard against, you will have all kinds of bitterness among your own people if you disfranchise any of the pupils.

Mr. Hart (to his Grace).—You propose to give to the Protestant school £125 as a minimum?—I propose to give it under the rules of the National Board, the pay of first class teachers, provided first class teachers are employed.

8385. And, therefore, there would be nothing for maintaining the buildings, giving prizes, and things of that sort, except such amount as the Protestant school could get from the National Board, which at present would be, it appears, about £40 or £50 a year?—Yes.

8387. And that might go down?—Yes, but the provision for the school of the minority given in that way would be clearly in excess of the minimum suggested in Dr. Traill's paper, which was only £100 a year.

8388. But it might leave a larger balance where the number of scholars was very small, for the maintenance of the buildings?—But, if the number of scholars was very much smaller than it is on the roll, I do not see how the Protestants of Sweden would have any serious ground of complaint against the proposal I make. In that case they could amalgamate the schools.

8389. Now, the present National schools under that arrangement would have, in addition to the sum necessary to pay the teachers, over £400—in any case the Protestant schools would not have anything like the others?—My principle is that they should get their fair proportion of the whole sum.

8390. I apprehend your Grace's view in that way, but don't you think that it would be fair also to give some small sum to be expended, say, in maintaining the building and those necessary outgoings to keep up any kind of school?—I should consider it fair if in giving them a sum for that purpose out of the endowment you gave us also a corresponding sum proportionate to our numbers.

8391. Dr. TRAILL.—You think there should be an allowance for servants attending?

Mr. Hart.—Yes, you will see that there will be necessary outgoings. The maintenance of the building would cost about £25.

Archbishop Walsh.—I have already stated my view about the maintenance of the buildings. We do not want you to maintain these buildings. If you wish to retain them, you retain them at your own cost.

8392. Dr. TRAILL.—There are a great many other items in your expenses, as well as servants, that are remarkable.

Mr. Hart.—We should not be tied down to merely teachers.

8393. Lord Justice FITZGERBERD.—Allow me to ask you, practically, what do you mean by servants in a National school? If you look at the contract between the expenditure on things of that sort by Father Maloney and you at present, you will see that you have a good deal of economy to learn which poverty will possibly teach you. For instance the cost of repairs, fuel, and expenses of that kind are many times greater in the smaller school than in the larger.

Dr. TRAILL.—The school requires are (reads list of

expenses). There is a servant, £25 &c. &c. What becomes of this vested interest?

8394. Mr. Hart (to his Grace).—What you allow is only the annual pay of the teachers?—You do not understand. My suggestion gives in addition to the sum for paying the teachers that very liberal grant given by the National Board. If you keep up the schools, and have fifty children or so educated in them, you will get possibly £60 a year from the National Board.

8395. Mr. Hart.—We will only get about £35.

Archbishop Walsh.—Well, I think, that would be a very good allowance in addition to the provision which my plan enables you to secure for a first class master and a first class mistress.

Rev. Dr. MOLLOY.—In relation to the question of smallness of attendance, I think the general opinion amongst us was, that if the school of either denomination should fall so low that it was not able to get anything substantial from the National Board, the time would then have arrived when the members of that denomination, if they wished to keep a separate school, should put their hands in their pockets and assist the school, or if they did not do so that they should see the other school.

8396. Dr. TRAILL.—I wish to make provision for the possibility of the fifteen children coming into your school, because if it gets reduced to fifteen still the fifteen are entitled under the original charter to the same advantages as all the other children in Sweden, and yet the school is practically closed. Do you see your way to no suggestion in that case?—Well, I thought that was a very unlikely contingency.

8397. Dr. TRAILL.—We cannot tell what may happen in the future. Still each of the children would be entitled to the advantages of the endowment?—Well, I think their case should be considered, and I have no doubt that the adoption of my plan as now proposed would bring about a friendly understanding in Sweden, so that no substantial difficulty could ever afterwards arise.

8398. Dr. TRAILL.—Would you have any objection to the suggestion I made before to the Commissioners; suppose the number got below fifteen, and these schools had to be closed practically, would your Grace have any objection to the idea of one member of the Protestant community being put upon the joint board—not more than one person—to represent their interests?—Not the slightest.

8399. Dr. TRAILL.—You would not object to one layman being on the board to represent their opinions?—On the contrary, I should wish to see such an arrangement made.

Mr. Baker.—I think if your lordship could see your way to giving specific sums without any calculation, it would simplify matters very much.

8400. Lord SUMNER.—I only wish to express a hope that what has been proposed, namely, that the income applicable yearly should not be a variable quantity, will receive favourable consideration from the Commissioners. I have not entered into any discussion of the details of this matter because I leave that to those who understand it better than I do myself, but that was one principle that I was very anxious should be, if possible, carried out. We all desire, and I am happy to find it is likely to be realized, that there may be an amicable settlement of this question, and I think if there was a yearly struggle between the two schools for a certain proportion of income it might not tend, I think, to the hurying of this old controversy.

Archbishop Walsh.—His Grace was not here when I made that suggestion.

8401. Lord SUMNER.—I was not here when your Grace made that suggestion, and therefore, I wish to express my entire approval of it. There were one or two questions with respect to the title of the Church of Ireland upon which I think I might have said something if I thought it desirable, but I think on the present occasion we are all desirous that these matters

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Met. Ser.
Dr. Walsh,
Archbishop of
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 Most Rev.
 Dr. Walsh,
 Archbishop of
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should be as free as possible from anything of a controversial nature.

8402. Lord Justice Fitzgerald.—Then your Grace does not think it is a fatal objection to this scheme that it does not contain the title in question.

Lord Plunket.—I should not like to throw in the apple of discord at present.

8403. Lord Justice Fitzgerald.—To avoid that was one of our main objects in framing the scheme as we did.

Lord Plunket.—I thought it might have been possible to refer in the preamble in the way it has been done in the scheme for the Kildare-place Society. You refer to what is called the Synod of the Church of Ireland. You speak of it as something that is called as such, and "the said Church" might be the term used throughout afterwards. I should be very sorry to say anything now that would affirm the question one way or the other, but I thought it might be done. In some cases the term "Protestant" is a somewhat ambiguous term. It is a term of which I am not ashamed, but it is in some cases ambiguous, and it covers many other denominations besides ours.

Rev. Mr. Tynan.—If the old National school will still continue to receive the income from the National Board which they receive at present what is to be done with the fund with which they are to be provided out of the endowment?

8404. Lord Justice Fitzgerald.—It is to be placed entirely at the disposal of the governors, for the maintenance and improvement of the school. They must in any case, apply it as trust money for the payment of teachers and other purposes set out in the scheme, and use it as part of their general income.

8405. Rev. Mr. Tynan.—Will the National Education Commissioners continue to pay the old National school as heretofore?

Lord Justice Fitzgerald.—They will continue to pay them the salaries to which they are entitled, and they will commence to pay the salaries to which the other school is entitled also.

Rev. Mr. Tynan.—If the old National school will continue to receive the income from the National Board which they receive at present, what is to be done with the income that they receive from this Swords borough fund?

Lord Justice Fitzgerald.—That is set out in the scheme—to increase the salaries and the number of teachers, to provide better teaching, and better subjects, to provide prizes, and advance deserving pupils.

Rev. Mr. Tynan.—Then it will be compulsory?

Lord Justice Fitzgerald.—Yes, it is all provided for. Rev. Dr. McArthur.—In section 16.

8406. Canon Twigg.—They have laid down a number of purposes to which the moneys received by the governors of each school are to be applied, to employ additional teachers to give instruction in drawing, handicraft, and other special subjects of intermediate, technical, commercial or industrial education, to provide prizes for the most deserving pupils, and to advance in life deserving pupils. That section refers to the moneys received by the governors of the old borough schools. Now I should like to ask what fund for any of these subjects will there be in the hands of the governors? It has been said, very properly said, by His Grace, if I may venture to say so, and I am very happy to hear it from everybody, that he desires to put these two schools on an equality to compete together for certain exhibitions, but how do you expect that a child in a small school, where boys and girls are mixed up together, can be taught on anything like an equality with a school which is furnished with good teachers and special money for all those four purposes? It seems almost a mockery, if I may so say, to state the money received by the governors of each school shall be expended by each for those purposes.

8407. Lord Justice Fitzgerald.—The total sum of money to go to the smaller school must be less than that to the larger school, for you have to deal with disproportionate amounts. No doubt, there is an expendi-

ture in the first instance necessary to make the school a good school at all, for which some provision must be made. We will endeavour to make that as favourable to you as we reasonably can, but beyond that, to whatever extent the difference in the numbers makes the provision less effective, because they are fewer in number, the smaller school will suffer; but observe that for every one child in the smaller school who has to get a prize, or to be advanced in life, you ought to find six in the other. And I think it is right to mention too, that under the National Board scale the amount per head paid for a school of 300 children is not so much as for a school of fifty.

Archbishop Walsh.—I think also you will find that a small school, supposing an efficient teacher is employed, will have an advantage over a larger one.

Canon Twigg.—I quite admit that, but I think there is something in what I state about that too; but there is another matter which I wish to speak of and it is this.—In making arrangements for the distribution of the fund between the two schools, there is not any notice taken whatever of the large income of one school, and there is most accurate knowledge of what the National Board is to pay to the other. You do not make any mention at all of the large sum of £300 odd paid annually for teachers' salaries to the old National school, but when you come to deal with the borough school you take account of all particular.

8408. Lord Justice Fitzgerald.—I am glad you mentioned that, because that is an entire misapprehension, which appears to have affected Dr. Farrell too. The amount paid by the National Board to a smaller school being per head larger than the amount paid to a larger school, if we added the National Board grant in each case to the endowment before dividing according to numbers you would be the loser.

Canon Twigg.—I don't know that.

8409. Lord Justice Fitzgerald.—Pardon me, you would, once your pupils are over thirty-five, for a school of fifty gets more money in proportion than a school of 300.

Canon Twigg.—Perhaps if you are speaking of education it does.

Lord Justice Fitzgerald.—No; I am speaking of salaries.

Canon Twigg.—The amount paid in salaries is about £230, and my school could not get £44.

8410. Lord Justice Fitzgerald.—Pardon me. You would be entitled, if you amalgamated the schools, to a first class salary of £70, and if you look at the scale under the National Board you will see that while with 30 you are allowed one first class teacher, and with a larger number a certain number of assistants and monitors; yet, as the number goes up you never get a second first class salary, so that really, putting the two things together and treating the National Board grants as an endowment to be shared between the two schools, instead of dealing as we do with the endowment alone the smaller school would lose.

8411. Dr. TRAILL.—Unless you go under 30 and then you lose your salary.

Canon Twigg.—His Grace mentioned that if it was found desirable to amalgamate the schools he thought that we should have a first class master and first class mistress.

Archbishop Walsh.—Pardon me. I said that you should have liberty to amalgamate your schools, and that I believed that you would find that it was to your advantage.

8412. Lord Justice Fitzgerald.—We have had several instances of beneficial amalgamation. Castleknock school was one, and if you amalgamate your school under the rules of the National Board, it will be constituted as a single school under a single first class principal teacher; but you may employ any number of teachers yourselves besides; with fifty pupils you will be entitled to one assistant, and from the endowment you can get additional teachers to give special instruction.

8413. Canon Twigg.—How do you propose to calculate it?

Lord Justice FRYGIMON.—It is proposed to calculate it in round numbers as about one to six.

8414. Canon FRYGIMON.—Then as to the allowance?

Lord Justice FRYGIMON.—That is the Archbishop's proposal, it is a little complicated, but in round numbers he proposes that as long as you employ first class teachers you should get salaries for two first class teachers, but that if you do not wish to employ first class teachers you should only get whatever salaries you do pay, but never less than one-seventh of the entire endowment.

8415. Mr. Baker.—Does not it appear strange to common sense that one school gets six-sevenths and the other one-seventh, and there are all sorts of charges laid on the school that gets the one-seventh and not a word of embezzlement on the other?

Lord Justice FRYGIMON.—What do you allude to?

8416. Mr. Baker.—To this regulation of salaries.

Lord Justice FRYGIMON.—The regulation as to salaries is put in for the purpose of increasing the sixth.

8417. Mr. Baker.—Increasing it in one sense but not in the other.

Lord Justice FRYGIMON.—Not in the sense of diminishing it. You may make your mind easy upon this, that the effect of all these proposed checks and embargoes is against going as low as one-seventh, and below that you can't go.

8418. Mr. Baker.—But suppose the possibility of the other side going down, they may do what they like with their £20,000; but we, unfortunate people, with our one-seventh are tied hand and foot.

Rev. Dr. MOLLAT.—But if they go down they must take their fate; we make no provision for them.

Archbishop WALSH.—I should wish to see a clause providing that there should be no special provision made for Catholic or Protestant schools, but that it should be equally applicable if either went down.

Rev. Mr. TYNMON.—I think the proposal is exceedingly fair, and I hope we will come to an amicable settlement about it; but what provision is there for us for having an evening school, and teaching drawing, handicraft, husbandry, or other subjects of intermediate, technical, or industrial education, or for providing for deserving pupils or for advancing them in life now—is there a period a year?

8419. Lord Justice FRYGIMON.—You will have in round numbers £130 a year, or thereabouts, in addition to the money from the National Board, which is in round numbers £50 on expenditure, or £70 on embezzlement, that is, you will have in round numbers £180 to £200 a year, and the buildings, or £2,000, and out of that you can apply money to those purposes as you please; but when you ask is there money for this or that particular purpose, the only answer is there is not, because your numbers do not entitle you to go beyond a certain figure; but, on the other hand, there is not for the others either, unless they can save enough out of the provision for primary education to give these luxuries. In round numbers the whole endowment is only a pound a head per child per annum, though it looks very big now when your sixty children have the whole £700 amongst themselves—it won't be so when Father Malcolmy's 350 come in for their share, too.

Rev. Mr. TYNMON.—That £300 is paid to them for necessities, and the remainder is allowed to go for luxuries.

8420. Lord Justice FRYGIMON.—You also will get from the National Board what is required for necessities for a school of fifty, and you will have a substantial addition in the shape of this endowment, which will be your numerical proportion. As to these additional things, whether they are to be called additional subjects or luxuries, if you cannot get them without more money, the only answer is, I am afraid, that the money won't reach it.

Mr. Baker.—Another thing is that these vested interests will eat up our fund very much.

8421. Lord Justice FRYGIMON.—Those vested interests, except so far as they are actually beneficial to you, we have put upon the whole fund. So far as they are beneficial to you, that is to say, so far as they provide

you with present salaries, it would be manifestly unfair that you should have both the money and the services of the vested interests.

8422. Lord PHILLIPS.—I wish to ask one question. There are certain advantages that are confined to those who have been resident in the borough of Sverdr for a certain time, but supposing that it were thought desirable to have some teachers in the present buildings, or in some buildings adjoining them, there is nothing to prevent their having the advantages of education in the schools?

Lord Justice FRYGIMON.—Nothing whatever.

8423. Lord PHILLIPS.—I mentioned that, because that might be a means of securing to us the requisite number in the schools to justify us.

Lord Justice FRYGIMON.—That was the great difficulty we had in originally adopting the proportionate principle. We foresaw that it was possible for either side to establish a large number of children in the place, making a nursery of the endowment. On the one hand that would increase the proportion that one school would get and take from the other, but we deliberately left the scheme open to that objection, because we thought it was a fair answer—that this was too large an endowment for a place like Sverdr, and that impudent people might be allowed to benefit. But the moment we adopt the principle, if we are able to do it, of dividing the money in a fixed proportion, you may then without injustice on either side utilize your schools to any extent you like, and your Grace will remember that you will then come in under the National Board rules for additional allowances. We found that there were children in both schools in Sverdr already brought in from outside, and we thought that it would be unfair to deprive them of education, and the adoption of the principle now suggested will put an end to any objection.

8424. Lord PHILLIPS.—We thought it would be unfair to bring them from one side or the other unless there was a fixed arrangement first, but that afterwards it might be done above board, and I may state that it would certainly benefit our side of the school.

Mr. HART.—If the principle which Dr. Walsh has proposed be adopted, that is to say, if the plan of the scheme as at present as to division is retained, and if in addition to that there is a clause that no matter how small the number may be in the school of the minority a minimum shall be allowed for the salaries of the teachers not over to be less than sufficient to pay for a first class male and a first class female teacher, if that is adopted I think it really removes all the objections of this protest, but it seems to me that it would be fair to make some additional provision for these prices, to keep on the school in an efficient working condition, and also to maintain the buildings.

8425. Lord Justice FRYGIMON.—Remember that we have not spent £100 a year which you can compare for.

Mr. HART.—I think it is right that every child in Sverdr, no matter what his religion, should have an equal right to this fund, and if our children could be educated without roots over their heads I should not ask for any provision for maintenance of the buildings.

8426. Professor DOUGHERTY (to Mr. Hart).—Is not the school at present a free school?—Yes, it is perfectly free.

8427. Professor DOUGHERTY.—You would charge fees, I suppose, under the new arrangement?—Perhaps so.

8428. Professor DOUGHERTY.—That is an item that you have left out of account altogether.

Rev. Dr. MOLLAT.—The object of the competitive arrangement was to meet the difficulty mentioned by Mr. Tynmon. In the original charter it was provided that there should be apprenticeship fees paid; now we saw that you would not have a sufficient surplus for apprenticeship fees, and we established these competitive prices to secure that every child in Sverdr should have the opportunity of obtaining an apprenticeship fee if he deserved one.

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Then with regard to the other heads of expenditure, it is understood that these are to be met out of surplus, and having made an equitable distribution of the fund we leave it to each governing body to dispose of its share as it finds most expedient.

Mr. Hart.—We will be bound to apply allow income in paying teachers, except such sum as we get from the National Board.

Rev. Dr. MOLLOY.—I thought you would be able to utilize the buildings in some way that would be remunerative, as they are far beyond your requirements. I have looked upon that as a considerable endowment.

8429. Lord Justice FITZGERALD.—The only remaining subject is as to the officers' vested interests. Now as to the deputy superintendent.

Mr. Hart.—I believe he will get nothing. He has resigned already.

8430. Lord Justice FITZGERALD.—The next vested interest was that of Dr. Devys?

Lord Justice NAIRN.—Have you made any objection, Dr. Devys?

Dr. Devys.—Yes, my lord, I have. It is only a small objection. It has reference principally to questions as reported at the previous meeting.

8431. Lord Justice FITZGERALD.—We corrected the evidence, but as to your claim for vested interests we wanted to know your view.

Dr. TRAILL.—Have you any objection to get your salary?

Dr. Devys.—I was quite a philanthropist as regards the duties discharged for that salary. Although my predecessor had £70 a year, the governors reduced it on my appointment to the sum of £25 for discharging the duties of medical attendant at the borough schools, but I prescribe for the patients of both the National school and the borough school for the one salary.

8432. Dr. TRAILL.—Was not the previous salary paid to your predecessor before there was any dispensary salary or payment from public funds?—I am not aware of that.

8433. Dr. TRAILL.—I understand that when he was originally appointed to the office with the salary of £70, that was before the Dispensary Act passed, but afterwards the Dispensary Act passed.

Dr. Devys.—I was not aware that he was such an old man.

8434. Dr. TRAILL.—What was the name of your predecessor?—Dr. Richard O'Grady. Then the only point is as regards my duties. They say I am to attend the children of the schools—I would put it in the children in the schools, as I mentioned in my letter, and in reply to a question put to me at the previous meeting, when the Lord Chancellor asked was I not obliged to attend them on what was termed "red tickets," and my answer was that many of them were farmers' children and the farmers' desire was always to pay the doctors.

8435. Dr. TRAILL.—Was that a satirical remark of yours?—I attend every child in the school.

8436. Lord Justice FITZGERALD.—When were you called in last to attend a child in the school?—I did not make up the statistical form.

8437. Lord Justice FITZGERALD.—What was the last occasion on which you attended any patient in the schools?—I have not any diary with me.

8438. Lord Justice FITZGERALD.—Then you did not attend any patient there within any period you can fix or give any account of attendance that could be represented by a salary of £25?—My attendance on the staff of teachers represents £25, and a few days ago I refused £4 from a teacher of the National School, because I was paid £25 from the borough school.

8439. Rev. Dr. MOLLOY.—What is your point?—The only point is that I should simply attend the children if they got ill in the school. When I attend the staff of teachers of both schools whenever they are ill, of course in their own houses or homes, I am not supposed to drive two or three miles off to attend the children of a person able to pay me.

Lord Justice FITZGERALD.—I think we may possibly be able to allow you for the £25 a year to attend to the teachers and their families, the mothers, and my pupils whom you are required by the governors to attend.

8440. Dr. TRAILL.—May I ask what salary you receive from the farmers?—Well if I had my fee book I might tell you the amount of fees. They always pay me liberally and generously. The farmers are a most generous body.

8441. Lord Justice FITZGERALD.—The last objection is that of the examiner of the 86 wards borough schools, Mr. Griffin (reads objection). Canon Twigg, what is the tenure of Mr. Griffin's appointment at present? Canon Twigg.—There is a minute appointing him, but he is only there a short time.

8442. Lord Justice FITZGERALD.—How long has he been with you?—Four or five years. He was asked to come down to attend examinations. We used to have twice a year the children of the two schools competing together, and we thought it was better to have an examiner who would conduct the examinations in such a way as there would be no doubt. The original examinations were for a long time conducted by Dr. Macdonogh of Trinity College, Dr. Griffin very often assisted him, and when Dr. Macdonogh resigned, Dr. Griffin was appointed at a salary of £25 a year.

8443. Lord Justice FITZGERALD.—What was Dr. Macdonogh's salary?—£25. The same salary.

8444. Lord Justice FITZGERALD.—What duties had he to perform?—The examinations were twice a year of about 200 children. He was obliged to bring down twelve assistants.

8445. Dr. TRAILL.—Did he pay for that out of the £25?—Yes.

8446. Lord Justice NAIRN.—Could you have removed him at any time you thought fit?—If we thought fit.

8447. Lord Justice FITZGERALD.—How long did the examination last?—One day.

8448. Lord Justice FITZGERALD.—Then the whole £25 is for two days' work in the twelve months?—Yes, but recollect we were obliged to have a large examination over in one day.

8449. Lord Justice FITZGERALD.—Bringing down twelve persons, did he pay them?—He was responsible for the whole examination.

8450. Lord Justice FITZGERALD.—Can you give any idea of what the expense of bringing down those people would be?—They were brought by carriage, and they were generally pupils. He was generally assisted by pupils and friends, and usually there were two or three gentlemen, and many of them were pupils and young men attending.

8451. Dr. TRAILL.—Do you think did he pay them, did they come as friends?—Sometimes.

8452. Dr. TRAILL.—Had he luncheon for them all?—I gave them luncheon.

Lord Justice FITZGERALD.—But he had some order for those to be brought down, or at all events you were in a position to demand that he should bring qualified persons?—Yes, that he should bring a sufficient staff to have the examination over in one day.

Lord Justice FITZGERALD.—But he had some order for those to be brought down, or at all events you were in a position to demand that he should bring qualified persons?—Yes, that he should bring a sufficient staff to have the examination over in one day.

8453. Lord Justice FITZGERALD.—Can you give us any expression of your opinion as to what the compensation might be?—Well I must leave that for the Commissioners. The Commissioners appear to me to be very economical indeed.

8454. Lord Justice NAIRN.—Do you think that £75 is enough?—I think it is ample.

8455. Lord Justice FITZGERALD.—There was a balance of £300 odd, cash in bank savings and accumulations in the hands of the existing governors; as we propose to leave that sum in their hands for the payment of all liabilities outstanding, we do not

consider that it would be fair to put the payment of this vested interest upon the general fund.

Rev. Dr. MORRIS.—But if they would prefer winding up their bank account, and transferring to the Commissioners of Charitable Donations and Bequests the whole of the balance that would remain when this scheme comes into operation, then we would not put this charge upon them.

Mr. HORT.—This appears to be the only varied interest to be paid by the governors. The rest are all to be paid by the Commissioners of Charitable Donations and Bequests.

8456. Lord Justice FRYGROVE.—The reason is that there is a sum of about £300 which is in your hands. You could spend it on repairs or otherwise between this and the time the scheme would come into operation, and it would be wiser not to put you under any temptation to be extravagant, and to let you keep any balance of that which may be in your hands after paying all your fair liabilities. We ought certainly, I think, to provide that Dr. Griffin should not be kept waiting, but should get it at once, because you have the money.

Canon TWIGG.—But the scheme will not come into force at once?

Lord Justice FRYGROVE.—Not till it is signed by the Lord Lieutenant.

8457. Rev. Dr. MORRIS.—If you raise the question at all it may then be objected that we are practically putting our hands into the public fund and handing over to you a certain amount out of it to set you up. We thought that as you have been in the possession of this fund, and have administered it financially very well, we might let you keep the balance that will be over in the winding up of the accounts, after putting this small charge upon it.

Mr. HORT.—Of course we are losing very heavily on the whole transaction.

Lord Justice FRYGROVE.—You are losing only because the benefit of the endowment is being extended to all who are entitled to it.

8458. Mr. BOWDEN.—I see in the provision of £100 for premiums there is a limitation that the child shall be three years in attendance on the borough school. I wish to suggest a further condition that they shall also be children of parents who have lived at least three years within the rectory.

Lord Justice FRYGROVE.—We have considered that very carefully, and it might work very hardly upon children sent to the schools whose parents might not remain three years in the place. The child must be three years attending the school.

8459. Mr. NALAN.—Mr. Bowden refers to the case of children sent as boarders into the school, their parents not living in the borough.

Mr. LOWEN.—But if the grandfather of the children did, I think they should be entitled.

8460. Lord Justice FRYGROVE.—That is one difficulty, and another would be that a child might be disqualified who lived with relations, his father being dead or resident elsewhere.

Mr. BOWDEN.—I would not like to encourage strange children, and we had a hint here to-day that something of that sort possibly was in view in the future.

8461. Rev. Dr. MORRIS.—In the original charter those apprenticeship fees were limited to the inhabitants of Swords, and your objection is that we have not secured that condition. I think that is a reasonable objection.

Mr. BOWDEN.—Yes.

Dr. TRAHER.—But you get about £300 a year for primary education which you did not get at that date, and therefore it is better now to extend it.

8462. Rev. Dr. MORRIS.—It might be a difficult thing in a particular case to determine whether the parents of a child were inhabitants of the borough, and we were afraid that such a question might be a source of contention, from time to time, between the governors of the two schools. We were therefore content with requiring that the children should be

resident in the borough for three years. But if you wish to press your objection we must take it into account.

Rev. Mr. MULCAHY.—Mr. Lowen put an objection, supposing a grandfather was living in Ballinagga, would the children be entitled to get apprenticeship fees if he sent his grandchildren to Swords.

Rev. Dr. MORRIS.—Yes; if the children come and reside and attend the school for three years.

Dr. TRAHER.—Not if they are sent every day from Ballinagga.

8463. Lord Justice FRYGROVE.—Our plan is a simple one, that the child must reside within the two parishes for three whole years, and that in each of those three years he must be at school on 100 days. We thought that so much simpler than any other arrangement that we deliberately left out any further qualification as to the residence of his father or grandfather.

Mr. LOWEN.—Quite right.

8464. Lord Justice FRYGROVE.—To prevent ambiguity I should like to know what that permanent residence within the borough include permanent residence in the school?

Lord Justice FRYGROVE.—It would, provided the school was the child's residence, but it would not include a case in which a child was really residing with its parents elsewhere, and was merely sent to lodge in Swords for 100 days to attend school.

8465. Lord Justice FRYGROVE.—But supposing a child were—I am asking this with the object of its being decided one way or the other, to avoid ambiguity—supposing that there was a boarder who remained in the school the whole time, an orphan?

Lord Justice FRYGROVE.—That child would be qualified, not having a residence anywhere else; but a child whose legal domicile was with his parents, could not by being sent as a boarder for a short time in the year be qualified to get these fees.

8466. Rev. Dr. MORRIS.—I think as this question has been raised, and as we are really now on the point of arriving at a settlement which is likely to be acceptable to all parties, it is desirable to have a clear understanding on this point. In the original charter the apprenticeship fees were limited to the children of the inhabitants of Swords. I should like to know whether the provision we have made in this scheme would be regarded by the majority of those who represent the borough of Swords here as satisfactory, or whether they would wish to press for the strict enforcement of the terms of the original charter. We have told you the grounds on which we have proposed this change, and we should like to know whether you, representing the people of Swords, are satisfied to accept it.

Rev. Mr. MULCAHY.—That is, that the child must be three years in the borough.

8467. Rev. Dr. MORRIS (to Archbishop Walsh).—What does your Grace say?—That is a matter I do not wish to express any opinion upon. It should be decided in accordance with the wishes of the inhabitants of the Borough.

8468. Lord Justice FRYGROVE.—If you have two children attending the same school, Father Mulcahy's or Canon Twigg's, both in the same class and both attending 100 days in each of three consecutive years, a rule that one is to be disqualified because his father is not living in the town, although he himself is living there, will lead the master, who would otherwise use his utmost efforts to train both to compete for the credit of his school, to neglect one for the other; on the other hand if both may compete, each will work against the other and the best or both may get the prize. Many people outside have suggested that all this money ought not to be left to Swords, and I do not think you ought to be stingy about the conditions of competing.

Mr. LOWEN.—Oh no, I am not.

Canon TWIGG.—With respect to the exhibitions, I think that in making that arrangement it would be desirable that the Commissioners should increase that sum of £100 a year for exhibitions for the children of

Aug. 21, 1885.

Met. Rev.
Dr. Walsh,
Archbishop of
Dublin.

Aug. 26, 1866.
 Mess. Rev.
 Dr. Walsh,
 Archbishop of
 Dublin.

both schools. I think it is rather small, and if they added £30 or £100 to it, it would be better.

Lord Justice FRYGIMON.—It is more than was given for exhibitions under the old system.

8466. Dr. TRAILL.—Some of the witnesses got them in former days themselves. How many used to get them at that time?

Mr. Lonsdale.—Six boys and six girls.

8470. Dr. TRAILL.—How much for each?

Mr. Lonsdale.—£15 for each. Six boys and six girls.

8471. Lord Justice NAUGHTON.—That was £110 a year?

Dr. TRAILL.—Yes. Would £30 or £25 be the best figure to give each exhibition?

Mr. Lonsdale.—Six twentys.

Rev. Mr. Mulnally.—£20 is a very small sum to give for an apprentice fee.

8472. Dr. TRAILL.—Would it be better to give six twentys or four twenty-fives.

Rev. Mr. Mulnally.—Four twenty-fives.

8473. Dr. TRAILL.—Would four every year take them all away?

Mr. Lonsdale.—I think not.

8474. Dr. TRAILL.—Would six twentys be better?

Mr. Lonsdale.—I think it will be able to supply six twenty-fives.

Archbishop Walsh.—I wish to have it understood that the additional sum so given would be taken out of the Catholic endowment and thrown open to competition, but I do not object to it.

8475. Dr. TRAILL.—Three boys and three girls would make £150.

Archbishop Walsh.—I do not object to it, but I wish you to observe that it is really a sum taken out of the Catholic share and thrown open to competition.

8476. Lord Justice FRYGIMON.—I think we ought to ask the managers. There was a division of opinion among ourselves between £100 a year and £150 a year. Some of us thought we ought to give four at £35 each, and the others six at £30, a larger sum than was formerly given to the Catholics, as £15 was the largest exhibition open to them, and if you have any strong opinion upon either side about it I apprehend that we will yield to it. Six twentys you would prefer?

Mr. Lonsdale.—It would be more useful to the inhabitants.

8477. Lord Justice FRYGIMON.—If a boy got £30 his father might supplement it, or the governors could make it up to £35 if required.

Rev. Mr. Mulnally.—That might meet the case. If the father got £30 out of the fund he would not get any respectable man to take £20 as a fee with him.

8478. Lord Justice FRYGIMON.—Whether would you rather have the distribution each year of three exhibitions of £30 or two of £25 each year?

Rev. Mr. Mulnally.—Three of £30 certainly.

Lord Plunket.—Say six of £25.

Lord Justice FRYGIMON.—That makes £150.

8479. Rev. Dr. MOLLON.—It must be remembered that whatever is settled in this way is taken out of the general fund of which the Catholics are sure of getting six-sevenths, and the Protestants would only get one-seventh.

Archbishop Walsh.—Manifestly, as it stands, the Catholics are sure of getting seven-sevenths of this sum, and in this new suggestion it is thrown open to competition. We have given the Protestants of Swords a sum very much in excess of their proportionate allowance, and this additional charge cannot come upon that. Their sum is a fixed one. Our sum is not a fixed one. So our share must bear this new burden.

Dr. TRAILL.—Still it is over £400 a year.

Archbishop Walsh.—All that I say is that this addition to the exhibition fund is taken out of the Catholic fund and thrown open to competition; but I do not object to it on that ground, if it is a good arrangement for the educational interests of the district.

Dr. TRAILL.—It is the best of all ways of spending the money.

8480. Dr. Dwyer.—May I say a word? As I was the

witness who was the suggester of the foundation of scholarships or exhibitions, my idea is from the knowledge of the people and of the desire of having some few of them benefited by superior education, that unless you make the amount a substantial one, and make it well worth looking for, and allowing them in the last six months of their education, as I recommended in the evidence that I gave before, viz, if the teachers of Swords were not up to the mark, to allow the exhibitors to go to such a school as Blackrock College and to utilize half a year's salary in advancing themselves in a superior position and education.

8481. Dr. TRAILL.—Are you for six twentys or four twenty-fives?—I would be in favour of the larger sum. An exemplar of the National schools is now in the receipt of between £300 and £400 a year obtained by competitive examination.

8482. Rev. Professor DOWNHILL.—You observe that these exhibitions are to be given to pupils on the point of leaving the schools.

Dr. Dwyer.—I understood, as I suggested on the previous occasion, that you would found scholarships.

8483. Lord Justice FRYGIMON.—From the money that the Catholic governors will have for themselves they can give exhibitions and prizes in the school or out of the school, so far as their money will extend. The Protestants very fairly point out that they have a little of the whole fund that they will not have such, if anything, for this purpose; but the point we are on now is how much is to be left open for competition among all the pupils leaving both schools. And we want to know whether you are in favour of four of £30 or six of £20 each year. You will have to fight the Protestants for them, Mr. Lonsdale; do you understand that?

Rev. Dr. MOLLON.—The pupils who win them will be the best pupils in your school. The governors of the school can out of their own funds provide prizes for the most deserving pupils, and thus they can supplement the exhibitions by prizes of their own. Would not that be a very good way of making provision for them in life?

Rev. Mr. Mulnally.—All the £20 exhibitions which they win might go towards another school.

Dr. TRAILL.—On the other hand if you win all these by public competition you can have all your own money still.

8484. Lord Justice FRYGIMON.—We have heard the discussion, and I think on the whole it is better to enlarge the number to six exhibitions of £30 each. When the Catholic pupils get the £30 exhibitions, the governors may supplement them when necessary, and if the Protestant pupils get them some of the better of parishioners may possibly subscribe to supplement them in deserving cases where £30 is too little to secure an advancement. We, the judicial Commissioners, now, with the assistance of our colleagues, will go over this scheme, and introduce such of the suggestions made as we can adopt, and we will then send it forward to the Privy Council; if it satisfies you all we shall be delighted.

8485. Mr. GERRIN.—Speaking for the Commissioners of Charitable Donations and Bequests, as this scheme will have to be recast —

Lord Justice FRYGIMON.—Your Board has told us that they have neither time, money, nor staff, to help us; in short, you have written to us that you decline to undertake any duty in the matter.

8486. Mr. GERRIN.—On account of the smallness of our staff and nothing more. In the interests of the charity itself we could not do it. Our time is as fully occupied as ever it can be. There is no desire on the part of my Board to shrink from the trouble, but we find with the staff at our disposal that we cannot.

8487. Lord Justice FRYGIMON.—We have got your written communication that you decline to perform the duties proposed, and we are going to amend the draft scheme by leaving out as many of them as possible.

Adjourned.

WEDNESDAY, AUGUST 18TH, 1886.

Aug. 18, 1886.

Present:—Right Hon. Lord Justice FITZGERALD, and Right Hon. JOHN NISSE, Judicial Commissioners; and REV. GERALD MOLLOY, D.D., D.M., F.R.U.; ANTHONY TRILLA, Esq., LL.D., M.D., F.R.G.; and Professor DOUGHERTY, M.A., Assistant Commissioners.

The Secretary, WM. EDWARD ELLIS, Esq., LL.B., was in attendance.

THE SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND AND THE CHURCH OF IRELAND TRAINING COLLEGE.

The Society for Promoting the Education of the Poor of Ireland and the Church of Ireland Training College.

8488. Lord Justice FITZGERALD.—This is a sitting appointed to consider objections to the draft scheme for the management of the endowments of the Kildare-place Society and Church of Ireland Training College. The first objection is that of the Joint Sub-Committee of the Society and Training College signed by Lord Plunket, the Archbishop of Dublin. The objection is as follows, *Let*—

"That, contrary to the agreement entered into between the Society and the Training College, the scheme, *inter alia*, provides that the training of teachers for elementary schools, not being National or other Government schools, shall be provided for only out of special funds at the disposal of the governing body for that department of the work, and vests the power given by the agreement to appropriate out of the property to be obtained from the Kildare-place Society a sum not exceeding £200 a year, for the training of such teachers so long as the governing body shall consider that the demand for such teachers shall so require, and that the special funds, at the disposal of the governing body for that purpose, shall justify their continuing that department. 2nd, That the scheme has not distinctly provided for, nor preserved the rights of, the regent and other officers of the Kildare-place Society, as contained in the agreement entered into in the month of February, 1883, and confirmed in the month of March, 1884, by and between the Training College and the Society, (see clauses 4 and 5 of the agreement, and section 1, sub-sections 3 and 4 of the scheme as well as with their joint concurrence to the Education Commissioners), and the scheme submit that the substance of said sub-sections should be retained or their purport clearly set out in the scheme in order to preserve the vested interests therein mentioned, payment to the 11th section of the Educational Endowments (Ireland) Act, 1882."

The next objection is from Judge Warren, of which the purport is that the Kildare-place Society's funds should go not to the Government side but to the non-Government side of the Training College on the ground that the requirement of the Kildare-place Society that the Scriptures shall be daily read in their schools approaches more nearly to the principle of the Church Education Society than to that of the National Board, and therefore that the non-government side, in which teachers for the non-National schools are trained, has the strongest claim to any funds derived from the Kildare-place Society. The next communication is from Mr. Brookes. He says—

"I regret that owing to business engagements I am unable to attend the sitting of the Commission to-morrow. As one of the Joint sub-Committee I wish to say that having had an opportunity of considering the two objections lodged by that body I am unable to agree with either of them. In both I hold that the scheme is right and the objection wrong, and I accordingly dissent from the resolution of the Joint sub-Committee under which the objections were sent forward. They are objections which might have some reason if presented by the Kildare-place Society alone, but the wording, which describes the agreement between the two Societies as binding previous to ratification by the Commission, so misrepresents the facts that as a member of the Training College Committee it was not open to me not to express an objection drawn up in such a fashion as that. I hold that a scheme that could place a charge of £200 a year on the buildings for the purpose of purely denominational education would be at variance with the fundamental principles of the Kildare-place Society and a preservation of the funds from their original trust either warranted by history or equity. As regards the question of competence, I feel that in the provisions of the scheme the Commissioners, proceeding according to well known principles, have done what they could for the staff of the

Society, and that this arrangement cannot in fairness be questioned. The old buildings of the Society are in a bad state of repair. They require a large expenditure of money. A great deal has been done already by the Training College, but much yet remains to be done. It appears to me that the proper destination of any money to be received by the Training College from the Kildare-place Society should in the first place be the due and proper repair of these old buildings, a duty which, were they to remain in the hands of the Kildare-place Society, would have to be discharged by them."

The next objection is from Judge Gaselee.

Judge Gaselee.—I act with the Joint Committee, and the objection sent in by me is identical with theirs.

8489. Lord Justice FITZGERALD.—The next is from Mr. Nunn, one of the acting Committees of the Society; he objects because, first, the draft scheme proposes to amalgamate the endowments of the Society and Training College, whereas the Training College is not possessed of any endowment and is entirely dependent for its support upon voluntary subscriptions, and payments by the Commissioners of National Education of a proportion only of the expenses to be incurred by it in training teachers for National schools, which payments are only to be made on certain conditions which in some cases may not be fulfilled. Second, the Training College by its constitution is bound also to board, lodge, and instruct students preparing to become teachers in elementary schools not being National or other Governmental schools, for whom they will not receive any State aid; and consequently the expenditure of maintaining the Training College will be very great, and, having no sure source of income, the property of the Society proposed to be transferred to it may be endangered and eventually lost. Third, the Training College is not under independent government, being only a department of the Church of Ireland, managed by a Committee appointed by the General Synod of the Church, and bound to report annually to it. Fourth, the Commissioners in framing the draft scheme have entirely disregarded the requirements of the 13th Section of the Educational Endowments (Ireland) Act, which enacts that it shall be the duty of the Commissioners with respect alike to the constitution of the governing body and to educational provisions to have regard to the spirit of the founder's intentions, inasmuch as the Training College is a strictly denominational institution, its operations being limited entirely to the training of members of the Church of Ireland to be teachers in primary schools, whereas the Society was founded for the benefit of the poor of Ireland without any religious distinctions, and the rules of the Commissioners of National Education, by which the management of the primary school in connection with the College is controlled, prohibit the reading of the Scriptures during school hours by any child without the consent of his parents, whereas the rules framed by the founders of the Society requires the Scripture to be read by every child in their schools. Fifth, the draft scheme purports to vest in the governing body all the property now held in trust for the Society, whereas there is not any provision in the Educational Endowments Act conferring such power upon the Commissioners. Sixth, the draft scheme if finally approved as required by the Act, would have the effect of giving legislative sanction to the

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Most Rev.
Lord Plunket,
Archbishop
of Dublin.

agreement entered into by a majority of the Committee of the Society with that of the Training College, so far as it agreed on the part of the Society to make over all its property to the Training College, which agreement is a direct breach of trust on the part of the Committee and not within their power to carry out, the property being vested in trustees for the Society, or their representatives, who hold in trust for the Society. Mr. Neen dissented wholly from that agreement and entered a protest on the minutes of the Committee of the Society, and the Right Hon. R. R. Warren, Judge of the Court of Probate, another of the managing Committee, only assented to the agreement, on condition that a sum of £300 per annum should be annually allotted to the non-governmental department of the College, by which condition, his Grace the Lord Archbishop of Dublin stated before the Commissioners, the managing Committee of the Training College considered they were bound, but the scheme does not contain any provisions to that effect.

The next objection is from Mr. James Henry, on behalf of the Intermediate Education Committee of the General Assembly of the Presbyterian Church.

8490. You represent them, Mr. Brown?

Mr. Brown, S.E.—Yes.

8491. Lord Justice FitzGibbon.—In substance their objection is that the governing body is formed exclusively of members of one religious denomination; secondly, that the scheme transfers a valuable property created partly by the bounty of Parliament and partly by voluntary contributions for educational purposes of a non-sectarian character, and dedicates this for the future to the use of one religious denomination; and thirdly, that the scheme diverts funds which the founders intended for the benefit of the poor without religious distinction to the relief of the funds of an ecclesiastical body.

The last objection is by Mr. Keene in reference to his vested interest, and may be considered separately from the others.

Mr. Gervard.—I appear for Mr. Keene and also in support of Mr. Gambie's objection.

8492. Lord Justice FitzGibbon.—Which portion would it be convenient to take first?

Lord Plunket, Archbishop of Dublin.—There were objections put forward with my signature, and I should like to make one or two remarks with reference to them.

Judge Gambie.—As Lord Plunket's objection is identical with the Kildare-place Society's, I think it would be preferable that Lord Plunket should be first heard on the two points.

8493. Lord Justice FitzGibbon.—Very well, we will take first the objections to the general scheme, and then the vested interest.

Lord Plunket.—I wish to state that while personally approving of the objections I have not signed them in my personal capacity but as Chairman of a joint Committee, having upon it representatives of the Church of Ireland Training College and the Kildare-place Society, respectively, who were appointed for the purpose of negotiating with the Commissioners and to whom plenary power has been given by those two bodies to carry out those negotiations according to their discretion. And I also wish to state on behalf of that joint Committee that the objections have not been made in any spirit of antagonism to the scheme proposed by the Commissioners. In the main they regard that scheme as satisfactory. They do not object to what it contains so much as what it omits, and all that they desire is that some provisions which they consider to be of great importance should be introduced into it. The Kildare-place College has for many years been occupying premises which it has held as a yearly tenant from the Kildare-place Society, and that was always felt to be unsatisfactory; but its inconvenience became manifest when the college desired to add to its buildings and found it impossible to borrow money from the Board of Works or practically

to raise it by subscription unless some security was provided for the permanent tenure of the buildings for which the money was sought, and accordingly an application was made from the College to the Kildare-place Society asking them to transfer these premises to them, and, in fact, to make them the full owners of that property. But a difficulty was felt upon the part of the members of the Kildare-place Society. They thought that they would be thereby abandoning a trust and that it would be impossible for them to comply with the request of the Training College, except under some satisfactory authority, and accordingly a joint Committee was formed for the purpose of seeing if it were possible to obtain a special Act of Parliament which would enable the Kildare-place Society to transfer this property without any violation of their trust. While this joint Committee were engaged in the effort to obtain such an Act of Parliament, the Act constituting this Educational Endowments Commission came into force, and then the whole aspect of affairs was changed, because, whether the Kildare-place Society might wish it or not, its endowments came beneath the cognizance and also within the range of the powers of this Endowments Commission. And then the joint Committee was authorized to negotiate with the Educational Endowments Commission and to submit to them a scheme embodying the terms of an agreement that had been entered into with reference to the transfer of this property. Now, speaking on behalf of the joint Committee, I assume of course that whatever may be finally determined by this Endowments Commission we must accept, but in the meantime, so long as the opportunity is offered to us to make such objections as we think it right to the scheme as proposed by the Commissioners, we think it our duty to avail ourselves of it; and I, as Chairman of that Committee, have signed these objections upon two grounds, first, because an agreement having been entered into somewhat of the nature of a compromise, and of the terms of which the members of this joint Committee, or the members of the managing committee of those two bodies respectively have personally approved, I feel myself bound, as far as in me lies, merely as a matter of consistency, to press upon the Commissioners the adoption in their scheme of the terms of that agreement. But I also subscribed because it seems to me that the objections are reasonable. The first objection is one which relates to a provision in the agreement to which I have already referred, by which it was provided that the property that was to be transferred should be charged with a sum of £300 a year to be given to the carrying on of that department of the College which is called the non-government department, that is the department of the College which trains the teachers to teach in schools not connected with the National Board schools, the managers of which are either unable, either because of paucity of members or of some terms in their trust deed, or who are unwilling from conscientious motives to connect themselves with the National Board. The teachers are trained separately, but the training itself is the same; there is no division whatever made in the training, but the terms upon which the students are admitted are different, as the conditions to which they have to subscribe on entering the College are different. There is a Government grant for those who are being prepared for the National schools and none for the others.

Mr. NASH.—Three-fourths I think.

Judge Gambie.—As to those to be trained for National schools, are not they destined before going into the College for particular schools?

Lord Plunket.—No.

8494. Lord Justice FitzGibbon.—Have they not to sign an undertaking that they will take an appointment in the National schools?

Lord Phelan.—Yes, generally, but not for particular schools.

8493. Rev. Dr. MOLLOY.—That is an undertaking which they give to the authorities of the College, not to the authorities of the National Board?

Lord Phelan.—Quite so; it is an undertaking to the authorities of the College, and the others undertake on their part that they will serve for two years at least in non-National schools. Afterwards they are free to go wherever they like.

8494. Professor DOUGHERTY.—Are these non-Government schools Church Education Society's schools?

Lord Phelan.—Not necessarily. The term Church Education schools is a wide and vague term and has not always been fully understood. The best way to describe those schools is non-National schools.

8497. Professor DOUGHERTY.—Are the non-National schools connected with the Church of Ireland?

Lord Phelan.—Yes, they are. The teachers are trained in this establishment for church schools, for schools connected with the National Board or for schools that are not connected with the National Board but church schools. Now the reason why I think it reasonable that this sum should be so charged upon the property is this:—According to the original constitution of the Kildare-place Society there was a provision that the Bible should be read in every school, and that as regards the reading of the Bible there should be no conscience clause. Now it is thought by those who have put forward this objection that in the disposition of the funds, which were originally allotted for that purpose, there should be some security that the funds should be forthcoming for training teachers who should teach in schools, which might be described as schools in which the Bible should be read every day, and in which as regards the reading of the Bible there should be no conscience clause.

8498. Professor DOUGHERTY.—Will your Grace tell what may be the number of schools in Ireland carried on under that principle?

Lord Phelan.—I am not able to say.

8499. Lord Justice FRYGEMAN.—Perhaps your Grace could tell us the number of teachers at present in the Training College preparing to be teachers in schools of that class?

The Recorder.—About thirty-one.

8500. Lord Justice FRYGEMAN.—Out of how many?

The Recorder.—Out of nearly 150—35 females and 6 males.—About a fourth. All those whether government or non-government pass the National Board examination when getting out.

8501. Lord Justice FRYGEMAN.—It has been stated that so far as training and treatment of every sort in the College is concerned, there is absolutely no distinction between the two classes of students.

The Recorder.—Yes, and they have all to pass the examination for National teachers, which would authorize them to take National schools, but inasmuch as we at great expense train them for these other schools, we take an undertaking that they will live in them.

Lord Phelan.—I am aware that in the scheme proposed by the Commissioners, there is a provision which would enable the College to allot for the purpose of training teachers in these schools, that is to say, to the non-government department the sum that might be sent in by donors for that particular purpose, and personally I believe that there is abundant security that that money will be forthcoming in the future, and that there will be provision for these schools; but there are others who think that possibly the character of the managing Committee in regard to their opinion upon this point might change, and that also for some other reasons the funds might not be forthcoming for the purpose; and in order that there might be some security that no harm should thereby result to these schools, they desire that there should be this charge upon the property. I do not think myself personally that that charge is abso-

lutely required, but at the same time I think that the proposal is a reasonable one, and that it is one to which I myself personally feel bound to assent in consequence of the agreement that was come to by those who represent the two institutions respectively.

Lord Justice FRYGEMAN.—Before going further I may mention exactly what the difficulty is which we feel on this point. There is none as you will see from the draft scheme, none whatever, in making provision for the maintenance of a "non-government side" (to use your own expression), none in empowering the Training College to maintain such a non-government side out of any funds in their hands available for the purpose, because we consider ourselves bound to facilitate any useful denominational institution in every way consistent with the Act of Parliament. The only difficulty is as regards the appropriation of the funds of the Kildare-place Society to a denominational purpose. That difficulty arises in two ways. The first question is whether the gentlemen who represented the Kildare-place Society, in making that agreement were, under the laws and regulations of the Society, qualified to represent that all, inasmuch as one of the fundamental laws was that the Society should consist of people who contributed to its funds, and we have had evidence from Mr. Keane that no contributions have been received for many years, and that none of the gentlemen now acting on the Committee ever subscribed to the funds of the Kildare-place Society. The second difficulty is as regards the substance of the agreement. Assuming the Committee to duly represent the Kildare-place Society, which, though their own personal title might be open to objection, we should certainly take them to do, finding them in possession of the property, they must use it in accordance with the trusts applicable to the Society, and the question is whether this agreement is in accordance with those trusts. The two rules that have raised the difficulty are the following:—"The leading principle, by which the Society shall be guided, is to afford the same facilities for education to all classes of professing Christians, without any attempt to interfere with the peculiar religious opinions of any." The second is the rule in which the clause about reading the Scriptures occurs, but in all the objections only part of the rule is referred to, and I must read the whole of it:—"As it is conceived that the schools best adapted to the wants and circumstances of Ireland are those in which the appointment of governors, teachers, and scholars, shall be uninfluenced by religious distinctions, where the Scriptures without note or comment shall be read, but all catechisms and books of religious controversy excluded"—where certain habits shall be considered indispensable, and certain subjects shall be taught—"the funds of the institution shall be devoted to the support of such schools alone." The clause about reading the Scriptures without note or comment would be entirely excluded, not by instruction in the Scriptures, which is forbidden, but by the bare reading of a portion of the Scriptures at the opening of the school, or some other time, not even by the scholars, but to the scholars, and on the other hand all notes and comments, all catechisms and books of religious controversy are excluded, the appointment of teachers and scholars is to be uninfluenced by religious distinctions, and the leading principle is that the same facilities for religious education are to be afforded to all classes of professing Christians. The scheme has been drafted upon the construction of these rules, that the schools most nearly approaching to their provisions are not such exclusive schools as some of those to which the funds of the Society have recently been devoted,—for example a Society which got a large subscription was the Society for Irish Church Missions,—but rather schools in which, upon some system like that of the National Board, all classes of professing Christians are admitted, and the rules for religious instruction are so framed as to exclude none. In order that there may be no misunderstanding about it, the real question that we have to dispose of to-day is in the first instance whether the present Committee do represent the Kildare-place

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Most Hon.
Lord Phelan,
Archbishop
of Dublin.

April 26, 1888.
 Most Rev.
 Lord Plunket,
 Archbishop of
 Dublin.

Society, and in the second place, whether we can consistently with this statute apply the funds of the Kildare-place Society to exclusively denominational purposes, such as those of the "non-government side" plainly are. If we can, then we can carry out the agreement; if we cannot, then the agreement was not only made by parties who had no right to make it, but would have been made directly in the face of their trust, if they had been the legal trustees. Fully appreciating the good feeling by which your Grace as representing the Training College is anxious to give effect to the agreement with the Commission, we have a higher duty to perform, and we must override all your considerations, unless they were lawful, and that is the whole point here.

Lord Plunket.—Of course I see the force of the remarks that have been made. I will leave it to those who take a special interest in seeing this clause carried out to sustain the objection.

18502. Lord Justice Fitzgerald.—Your Grace will clearly understand, as we have thrown out in this scheme, that we are not only willing but desirous to facilitate the training in this institution of teachers for denominational schools provided the funds are lawfully applicable thereto, because having regard to the statute now in force enabling any denomination to borrow public money for the purpose of establishing such institutions, we think that the establishment of a denominational Training College, which is an object recognised by law, as important, and one which we ought to facilitate as far as we can.

Lord Plunket.—Of course in our negotiations with the Kildare-place Society we have assumed that the Committee did represent the body, and if it was decided that they did not represent it that would alter the circumstances.

18503. Lord Justice Fitzgerald.—That as I have mentioned is a substantial question, but it is only subsidiary because the Committee are deserving of consideration apart from the question of the strict rights of their position, and we must first, assuming them to be legal trustees of the property of the Kildare-place Society, determine whether their proposed application of it is in accordance with their trust.

Lord Plunket.—Well, I shall not take up the time of the Commissioners now by any further remarks on that subject. I just wish to say with regard to the second objection, that I have signed it upon the same grounds, partly because I felt bound to do so in consequence of the agreement, and secondly because I thought it was reasonable, as the position of the former registrar will be so very much altered under the new system that it would be difficult to understand how he can still remain connected with the College; under those circumstances I think it would be very desirable that a liberal and generous arrangement should be made before we enter upon our work in future; on those grounds, I desire on the part of the joint Committee to express an earnest hope that those objections may receive favourable consideration from the Commissioners.

18504. Lord Justice Fitzgerald.—Well it might be convenient now with regard to the second objection as to the registrar that I should state our difficulty as I have done in the other case. Mr. Keene's evidence, No. 2428, upon his position is this:—"When were you appointed?—In December 1868. What are your duties?—I have to take charge of the bank account of the Society." . . . (reads evidence). That is the evidence as regards his duties and attendance. Substantially he attends once a day for about an hour in the forenoon. He told me that he utilised the rest of his time for his own advantage. The agreement was—"That inasmuch as the office of registrar would be abolished by the transfer of the premises he should be compensated by the Training College by a payment to him upon the execution of the agreement of such sum as under the table for Government Post Office annuities would purchase for him an annuity of £50, being two thirds of his present salary, as usual under the special clause of the 22 Vic. cap. 26, when

such offices are abolished." Speaking roughly the sum would be about £800, which under this agreement would be taken out of a sum of £1,600 odd, Government stock, consisting chiefly of private benefactions and some balance of current income.

Mr. Gerard.—The Ward annuity has been released and they have got £1,400 from the Ward property.

18505. Lord Justice Fitzgerald.—Yes, but on private trusts. Except so far as it consists of accumulations and savings of income, the money is entirely derived from private endowments, the trusts of which are that the money shall be applied to the purposes of the Kildare-place Society. There is the Ward annuity and there is the LeFauquier gift, properties which the donors gave, not to pension off officers, but for the education of the poor. But there is a second important matter. The agreement refers to the 23rd Victoria, chapter 26, and represents the proposed pension as "usual" under that statute. The Superannuation Act applies only to civil servants in the established service of the State, and bound to give their entire time to the duties of their office, and to persons could get two-thirds or any other annuity under the Act on the basis of the addition of a permanent office unless he has been giving his entire time to the duties; therefore this innocent looking clause "as usual under the special clause of the 23rd Victoria, chapter 26," refers to an authority that does not apply to Mr. Keene's office at all, and if it did apply it would not give him anything like the sum of money that is proposed. There is no provision in any of the Superannuation Acts for giving the capital value of a Post office annuity. The utmost that could be given would be an annuity by way of pension, or a gratuity which I rather think, but I do not want to say this positively, if the Acts are examined, will be found, when given as a bulk sum, never to exceed three years' salary. Three years' salary would be £135, not £200. In the draft scheme we felt that it was important for the institution that the governors should be at liberty to get rid of officers, whose services they did not want, on fairly liberal terms, and accordingly provided that the governors with the consent of the Commissioners of Charitable Donations and Bequests, might grant to any officer in their employment who should become incapable of further duty or whose services should be no longer required, a reasonable retiring pension or gratuity to be fixed with due regard to length of service. The length of service in the case of Mr. Keene is since 1868, but from his present age he must have begun very young. The Commissioners of Charitable Donations and Bequests have a power of dispensing in some instances with strict application of rules as to outlay from trust funds, and we thought then the best tribunal to determine whether my proposal for Mr. Keene's retirement was reasonable, but at the same time at least for myself I must say that any proposal to pay a capital sum of £800 out of an endowment of about £3,000 would not be such as I should feel at liberty to sanction. It will also be observed, as one of the objections appears to ensue that we have disturbed Mr. Keene's position, that we have distinctly provided in the 27th clause that whatever his present tenure of office is shall be his tenure of office in the future. It is doubtful whether it is a yearly or a quarterly office, but whatever it may be, we leave his office exactly in the same position in which we find it, except that in the event of his duties being dispensed with, he may get whatever pension or gratuity the Commissioners of Charitable Donations and Bequests think reasonable.

Judge Gwynne.—I think it necessary, from what has fallen from Lord Justice Fitzgerald, that I, on behalf of the Kildare-place Society, as well as the other Committee, should make a statement of the facts and circumstances under which this compensation to Mr. Keene was settled. When the joint Committee came together they considered the question first in a preliminary manner, then it went back to our Committee, and then a suggestion I rather think came from the Training

College Committee that some compensation should be given. The first matter considered by us then was this, — is it necessary under the new arrangements for the establishment of the Training College to abolish the office which Mr. Keene held, and both Societies came to the conclusion that it was necessary to abolish the office, and consequently the clause in the agreement, "whereas it is necessary that the office shall be abolished." That was the first question, and I would submit to the Commissioners that the two bodies, who were themselves most interested in this matter, having come to that determination and having put it in writing, it ought to be allowed.

8504. Lord Justice FRANKLIN.—We would allow it at once, if the money was to be paid out of your own pockets.

Judge GOSWELL.—The next question was, if the office was to be abolished, what compensation should be given. That was brought first before the Kilgus-Place Committee and afterwards before the Joint Committee as to what terms were right, and the foundation on which that was based was what the Government themselves did by Act of Parliament (81 and 83 Vic., c. 110) in exactly a similar case, when they bought up the telegraph companies. That was a similar case, where the telegraph servants had no Government appointment whatever; they were not civil servants, but it was immediately seen, that, as the Government were going to take over the telegraphs, probably the old servants of the companies might not suit, and therefore a provision was made in the 81st and 82nd of Victoria, that the telegraph clerks should be compensated upon this basis, that every clerk of the telegraph company who was receiving £30 a year should be compensated by the payment to him of an annuity equal to two-thirds (if he had served twenty years) of his annual income, that to be diminished by one-twentieth for each year he was short of the twenty years. The Committee considered all that, and they said "Well we have a precedent here by Act of Parliament of what the Government actually did themselves." The Act, however, provided that if they got a new appointment of a similar character under the Government that then the annuities were not to be paid, but it provided that all their service under the old company should count as civil service in a Government office for the number of years' compensation they were to get. They had not been civil servants, and had no claim under the Acts, but the special Act put them in the same position as if they had, and twenty years' service would entitle them to two-thirds, and the Joint Committee thought Mr. Keene's case analogous and agreed to treat it as such.

8507. Dr. TRAILL.—What was the date of his appointment?

Judge GOSWELL.—1868. He was a couple of years short; and references was then had to the statute of 21st Victoria, which is mentioned in the agreement for two purposes, first to cover the other officers who are not to be compensated in this way, and secondly, to cover the couple of years which Mr. Keene was short, because that Act provides that in certain cases the Government might add a certain number of years' service up to twenty, but I will leave it to Mr. Gerard to state that. That covered the other couple of years. Well then the statement is made that Mr. Keene did not give his whole time. Well I think the Commissioners, on a fair consideration of that question, will come to the reasonable conclusion that if he did not give his whole time that is amply provided for by the smallness of his salary.

Lord Justice FRANKLIN.—Many responsible clerks give their whole time for less than £75 per annum.

Judge GOSWELL.—But he was responsible for the whole institution, and I do not think there is anything in the statute saying that he must give his whole time. Upon those two grounds then we thought that the fair thing was to say an annuity of £50 a year. Then the question came, ought it to be an annuity? The Kilgus-Place Society said very fairly this: The body just established are dependent in a great measure upon the bounty of the public, and unless the subscriptions are kept up the work cannot be carried on, and

therefore an annuity would hardly be a fair compensation for a person whose office is taken away. And this is the only point in which it differs from the case of the telegraph companies, because the telegraph clerks had the Government for the payment of their annuities, but we thought that, as there was no permanent fund for payment of the annuity, it should be capitalised and a bulk sum paid.

8508. Dr. TRAILL.—What do you say about his tenure, whether he had a freehold or merely a yearly appointment?

Judge GOSWELL.—We do not imagine that he had a freehold, but we say that he was in the same position as the telegraph clerks when the Government came in and destroyed the body under which they had been employed, which practically you are doing now by virtue of this Act. And the Government further by virtue of this Act of Parliament has virtually put the Commissioners in exactly the same position as the arbitrators on the telegraph clerks.

Mr. NARR.—But these funds are given for a particular purpose, not public funds, but private funds.

8509. Lord Justice FRANKLIN.—How can we take Mr. LeFan's or Mrs. Ward's money for this purpose?

Judge GOSWELL.—Well, the Government stock I believe is nearly all made up of savings.

8510. Lord Justice FRANKLIN.—These are all savings out of funds given to the Society, such as this Ward annuity and the other?

Judge GOSWELL.—They are our general fund.

8511. Lord Justice FRANKLIN.—You said that both parties agreed that this office should be abolished?

Judge GOSWELL.—Well, that they could not continue it under the new system.

8512. Lord Justice FRANKLIN.—Why could they not? The duty which this gentleman has had to perform must be performed in the future, and I may candidly tell you that the impression conveyed to my mind by the whole thing was that the reason why the office was abolished was that, consistently with his other engagements and employments, Mr. Keene could not perform the duties for the new body which it might reasonably expect for a salary of £75, and which for example was performed by another gentleman whom we found in the office for a very long time, who does give his whole time.—Mr. Mayson.

Judge GOSWELL.—In a large establishment where we disposed of £2,000 or £3,000 in the year we thought it necessary to have a more responsible person than a mere clerk in the office.

8513. Lord Justice FRANKLIN.—The whole amount of your income does not amount to that.

Judge GOSWELL.—Oh, yes.

8514. Lord Justice FRANKLIN.—Not unless you take your gross turn-over in the shop?

Judge GOSWELL.—But Mr. Keene had to receive every farthing of that turn-over and to pay it out again, and issue cheques in small sums for the whole amount, and also to receive the rents, attend the meetings of Committee, and keep all the minutes.

8515. Lord Justice FRANKLIN.—He only checked the receipts and outlay daily, and all that will have to be done in future. Why should we couple the new body to pay off the officer who does it now, and make them pay another man besides?

8516. Rev. Dr. MONRO.—Would it not be much more economical to retain him than to pay him off?

Lord Justice FRANKLIN.—Dean Dickinson was examined on that point, and the only reason we could perceive was that the registrar had a number of other engagements and only gave about an hour a day to this business, and therefore he could not without interfering with his other arrangements give the time necessary to perform the duties under the new system. If so, that is a case to which the principle of the Superannuation Act could not apply, because it is the case of an officer who is disposed with license he cannot give his whole time to this office.

Judge GOSWELL.—This question arises that an officer is found there with a salary of £75 a year, that a new

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Judge Gussile.

body comes into the place, that the duties are doubled or tripled, and that they compel him to resign.

Lord Justice Fitzgerald.—They don't compel him to resign by increasing his business, that would only give him a claim for more pay, but we cannot shut our eyes to the fact that the whole book-keeping of this business ought to be easily done for something about £100 a year.

8517. Rev. Dr. MOLLON.—With regard to that Act of Parliament, Judge Gussile, the purchase of the telegraph was effected at an extravagant price!

Judge Gussile.—Yes; because the position of the old servants was rendered untenable.

8518. Rev. Dr. MOLLON.—And the Act was merely required to get the sanction of Parliament for the purchase already made by the Government!

Judge Gussile.—Oh, no, sir, I think it was not, but because the Government themselves were the purchasers.

8519. Rev. Dr. MOLLON.—And they could not complete the purchase without the sanction of Parliament!

Mr. Gerrard.—It was really a purchase by the Government of private companies, and then in the discretion of the Government they thought it was unjust that the servants of the private companies purchased by the Government should be left without compensation.

8520. Rev. Dr. MOLLON.—They had arranged to purchase the telegraph companies, and they could not pay the bill without an Act of Parliament—is not that the case?

Judge Gussile.—Yes.

8521. Rev. Dr. MOLLON.—Now I would ask you, Judge Gussile, if you were to enter into a commercial transaction for the purchase of the interest of a public company would you take the purchase of the telegraph companies as a precedent that you would think it prudent to follow—is it not notorious that it was one of the worst bargains ever made by any Government?

Judge Gussile.—Well that is a difficult question on which I am not here to give any opinion.

8522. Lord Justice Fitzgerald.—We are to make due compensation for vested interests. The first question is, what is the vested interest. Here we find a situation, involving on an average one hour's work daily, remunerated at £75 a year, certainly determinable on six months' notice, and very possibly determinable upon three. If it was a tenancy in a shop in which a profitable business was carried on by a yearly tenant we should give one year off the rent, and not more than three years of the profits in compensation on compulsory purchase.

Judge Gussile.—That is not what the Government did with regard to the telegraph clerks.

8523. Rev. Dr. MOLLON.—Parliament got the option either to reject the bargain or to accept it. The bargain was a complete thing, part of the bargain being the agreement about the telegraph clerks, and Parliament confirmed the bargain simply because the Government had a majority in the House of Commons; but all commercial people recognised that it was an exceedingly bad bargain.

Judge Gussile.—What I submit is that the Society and the Training College thought it a fair and honourable arrangement, and I think that when the property is being transferred in pursuance of the agreement, this arrangement being made by an honourable understanding between the parties ought to be adhered to.

8524. Rev. Dr. MOLLON.—Might not the committee consider the question of retaining Mr. Keene's services? You put us in a difficult position by making up your minds that you must dismiss the registrar, and then asking us to pay him out of the educational funds; and we would rather suggest to you to keep the services of the registrar, and continue the educational funds.

8525. Mr. NASH.—In 1853, could the new body have touched these private endowments, out of which it is proposed that the compensation or purchase money of the £250 annuity shall be paid. If the money to pay Mr. Keene were found out of those sums which it is now proposed to apply for the purpose, would not the trustees be liable to an information?

Judge Gussile.—I think certainly not, and further than that I think and submit on a matter of law that once this agreement was entered into between the two parties, before this Act of Parliament was passed, that he has a vested right.

8526. Dr. TRAILL.—Is this the agreement that was made when the Society proposed to go for a private Act of Parliament?

Judge Gussile.—It is.

8527. Dr. TRAILL.—Then that brings me to the coercive nature of the agreement. Is it not a matter of fact that the Kildare-place Society knew perfectly well that if the Church of Ireland Training College applied for an Act to have this transfer of the property to them, that if there had been the slightest opposition in the House of Commons from any party concerned it must have fallen to the ground?

Judge Gussile.—We were not consulted at the time they were asking for that bill and the question never came on.

8528. Dr. TRAILL.—Then I will ask Lord Plunket the question, as he was involved in the negotiation about the Act of Parliament. Was not it, your Grace, well known that any opposition on the part of the Kildare-place Society to the smallest item would have been fatal to your private bill in the House of Commons?

Lord Plunket.—Yes, it was.

8529. Dr. TRAILL.—Therefore without saying that there was that moral coercion as if you had said "you must give Mr. Keene the whole money, Lord Plunket is most honourably prepared to carry out the agreement so far as he is concerned. That certainly does not bind us.

Lord Plunket.—I think it is right for me to state that I cannot agree with your interpretation of it as being a coercive agreement. I think it is a most reasonable one.

The Recorder.—There is no doubt whatever that as Lord Justice Nash asked, every lawyer would think it would be open to an information unless sanctioned by Act of Parliament.

8530. Dr. TRAILL.—But you could not have got that Act from Parliament if the Kildare-place Society made the slightest objection!

Lord Justice Fitzgerald.—The fourth clause of the agreement is that the officers now receiving salaries from the Kildare-place Society shall be retained in their present position, status, and salaries as officers of the College, and in the event of their being disabled from holding such offices by age, or permanent infirmity, or by any cause other than their own wilful misconduct, they shall receive in compensation annuities of not less than two-thirds of the amount to which they would reasonably be entitled as being civil servants under section 2 of the 22nd of Victoria, chapter 36. That clause, let for the 5th clause, would include the registrar, and the officers thus cut down to two-thirds of the pensions to which they would be entitled under 22nd Victoria include Mr. Mayson, who has been as long in this repository as Mr. Keene, who is spoken of in the highest possible terms, whose salary is very considerable, and who gave his whole time, whereas the registrar is protected by a separate clause not only giving him the full two-thirds, but capitalising it in cash out of the endowment and, mark you, as if it was a Post Office annuity, which we know is calculated at three-and-a-half, or three and a quarter per cent, instead of four or five per cent. Why in the case of this one officer is such an exception made? Why should we not put him into the same boat as those with whom he has been serving so long—let him keep his place so long as his duties are to be performed, and if his services are not wanted, let him be pensioned off on fair terms?

Judge Gussile.—All that was considered before the Commission, and the grounds on which they went were these. With regard to other officers, there was only one, the manager.

Lord Justice Fitzgerald.—Three.

Judge Gossle.—First, it is not a fact that he has been his whole life there. Mr. Mayson came there after Mr. Keene. Mr. Woodhouse, another officer, has been only two or three years; and then there is the point. It is not the fact that he has been there all his life.

Lord Justice FRYGROUSE.—He is there since 1849 and he is an old man.

Dr. TRAILL.—He has given his whole time.

Judge Gossle.—The probability is that the new body could not do without him and that he would not be abolished.

Lord Justice FRYGROUSE.—One of the clauses put into your agreement is that the registrar's office shall be abolished, and that the repository may be discontinued, therefore it was contemplated that Mr. Mayson's office might be discontinued.

Mr. GOSWOLD.—There is nothing in the heads of agreement about discontinuing it is in the draft scheme.

The Recorder.—It is this to Mr. Keene to state that that was an existing clause, that we should not be obliged to continue the repository, and really that clause was in order that we should not be saddled with what hereafter might prove a dangerous office.

8531. *Rev. Dr. MOLLAY.*—May I ask in the case which you contemplate of Mr. Keene's services not being retained, would there be any officer engaged in discharging analogous services under the new state of things?

The Recorder.—Perhaps I might be allowed to say one word with regard to this particular clause of the agreement which relates to Mr. Keene. It was, no doubt, inserted at the instance of the Elders-in-place Society, and not in our interest. But we acquiesced, because we knew Mr. Keene had for many years been the confidential officer of the Society, not merely the manager of their book department but their responsible secretary, conducting their correspondence with public and private bodies. We knew also that he has enjoyed the indubitable advantage of earning his annual salary by services which, though responsible, engaged comparatively a small portion of his time, and we thought it reasonable that he should object to come in under a new and entirely different management, and to an institution so different as ours. Therefore when it is suggested that this clause was coercive as regards us, though I quite agree with Rev. Dr. Molloy that in one sense it was so, and quite analogous to the case of the telegraph clerks with whom Government made special terms, fearing that otherwise their scheme might be spelt through parliamentary opposition, yet in another view it was not coercive, but acceded to by us voluntarily on the ground of fair play.

8532. *Rev. Dr. MOLLAY.*—Then under the new state of things you will have to engage the services of another officer who will discharge similar duties?

The Recorder.—Yes.

8533. *Rev. Dr. MOLLAY.*—What do you estimate would be reasonable remuneration for such an officer?

The Recorder.—Well in all probability the Commission will be disposed to consider that question as a commercial affair. Now, I do not think it is the Superannuation Acts which have been referred to that afford the best or the fairest analogy for Mr. Keene. I do not, on the other hand, at all agree that his claim can be regarded as a legal one arising from this agreement, because that was all conditional on the Act of Parliament which it contemplated passing, and this Act fell to the ground. We lawyers all know that when any term or condition essential to an agreement falls to the ground all parties are free. But I think Mr. Keene's best and strongest analogy is that of compulsory purchase. Where you take over a man's position by compulsory purchase, that is not a case for superannuating him, but whatever his position may have been, you are bound to give him an equivalent. We all know what juries do in cases of compulsory purchase, they always look to the contingent advantage the seller has had; so if you wish to get rid of Mr. Keene he should be paid the value of his office. In this view, the very fact that his time was not fully occupied is a strong element in the value of it to him,

though this may seem a paradox. He says "I had a service of so many hours in the day, six hours in the week, and my duties were responsible and important, and I had great control over this establishment, and for that reason I object to being placed under new masters, after I have arranged the business of my life and my affairs on the faith of my present position."

8534. *Rev. Dr. MOLLAY.*—But we have to look after the educational interests which are provided for out of these funds, and we have to see how they can be made available for educational purposes, always having due regard to the interests of those who are concerned in carrying out the work. Now what I would suggest would be this, suppose a man of business thought of taking a partner and extending the sphere of his operations, and that this change made it necessary to impose new duties or somewhat different duties upon one of his principal clerks, do you think it would be a wise thing for him to pension off the old clerk and to engage a new one, or would it not be better for him to enter into a reasonable and fair arrangement with the previous clerk, and give him increased remuneration for the extended duties which he would have to perform?

Lord Justice FRYGROUSE.—Now let me, in enforcement of what Dr. Molloy has said, read the Telegraphs Act, for I have sent for it and I find it contains a provision distinguishing it absolutely from the clause you propose (reading). If any officer refuse an office of employment he was not to receive any pension, and the Government had the option of keeping him on, that is the basis on which you have treated the other officers, except that you have cut them down to one-third under what you have capitalised for the registrar, and is quite inconsistent with your proposal to Mr. Keene. Surely under these circumstances the just thing is to provide that, if the officer is continued, his salary and duties shall remain the same, but that if you find it unnecessary to continue his duties you shall go to the Commissioners of Charitable Donations and Bequests, and get leave to make him an allowance calculated in the same way as for the others. I can find no precedent whatever for the proposal in the agreement, and the Telegraphs Act when read dispenses of the argument relied on from it.

The Recorder.—I think the strongest point for Mr. Keene's case is your own view. You are entirely free, you are not bound by analogies of the Superannuation Acts, unless you like it, and that is where you have the greatest power in this Commission. It appeared to us that when the money in this establishment was chiefly savings in this very portion of the establishment over which Mr. Keene presided, and when we are getting these buildings, it was a case for us not only to be just but generous to him. I ask you to consider not merely the technical spirit of the Superannuation Acts but that under this Act you are entitled to say to yourselves, "we will take care that this man shall not be in a worse position than before."

8535. *Lord Justice FRYGROUSE.*—What is Mr. Keene's age?

Mr. Keene.—Thirty-nine.

8536. *Lord Justice FRYGROUSE.*—I find another provision of the Telegraphs Act which would fetter your proposal. The 11th section provides that every person to whom any compensation or superannuation allowance shall be granted before he shall have attained the age of 60 shall, until he has attained that age, be liable to be called upon to serve in any of Her Majesty's Dominions, and if he shall decline he shall forfeit his right to his compensation or superannuation allowance. Thus even under the very Act you refer to, there is a manifest objection to granting the compensation otherwise than as an annual payment. Where did you discover the precedent for capitalizing it and paying away the money, thus parting with all control over the services of an officer paid off at thirty-nine.

Mr. GOSWOLD.—I should like to say a word with respect to Mr. Keene's position, and first, I would draw your attention to the draft scheme. The schedule

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contains the names of the governing body. The governing body is mentioned at clause 2. Now it is provided by clause 2 that the governing body is to consist of the two bodies already in existence, the Committee of the Training College and the Committee of the Society, so many of them as shall express their consent to serve. These, according to your views, are the proper body, and I believe everybody assents to it that they are the proper body to become the governing body of these amalgamated institutions. Now these two bodies have presented you with a joint draft scheme, and in that joint draft scheme they have incorporated into the scheme what are called the heads of the agreement that are mentioned already. Therefore you have a declaration from this amalgamated Committee, who have an intimate knowledge of the previous working of this institution and an interest in the future working of it, that this office hitherto held by Mr. Keene will no longer exist, and it is on that basis that Mr. Keene comes before you to ask for compensation which he says has been provided for him already by agreement. And that was the reason why, upon due consideration of these matters, the distinction was made between his position and that of the other officers in this institution, because the other officers are entirely occupied with the book establishment, and it is intended by the original agreement that the book establishment shall be transferred to the new body and shall be continued by them. A power has been given, if at any time hereafter it should be found that it was not working satisfactorily, to discontinue it. But it appears as all events, that it is contemplated by both of these bodies that they would take over all the officers of the Kildare-place Society, except Mr. Keene. That was the original agreement entered into before this present Act of Parliament was passed at all, and I could understand the members of the Training College to say that they dissented from the heads now, and that they were unwilling to carry them out, but that they were coerced into accepting them owing to the circumstances in which they were placed; but they are not in that position, for Lord Plunket, in representing the memorial mentioned by him, asks you to adopt this agreement. He says, having considered the position of Mr. Keene and the circumstances of the case, and knowing that they were getting over this huge amount of property, they consider it reasonable and just that Mr. Keene's position should be recognized as it was recognized, and that he should get this compensation out of this property coming over to them, and therefore that you are not to look at this as an attempt to force the agreement on the Committee.

8337. Dr. TRAILL.—The evidence of Dean Dickinson is the other way.

Mr. Gerrard.—There may be one or two individuals dissenting from it, but, as a body, the Committee are agreed. There may be individuals, but you have a memorial here from the joint Committee, represented by Lord Plunket, who asks you, on behalf of the Society, to adopt this agreement, and we ask you to adopt it.

Professor DOUGHERTY.—That would be a very strong argument if the Church of Ireland Training College trustees were paying this money out of their own pockets, but they are not doing that.

Mr. Gerrard.—We must look upon these as trustees for the body, and men acting collectively as if they were individuals doing it in their own case, and I say that having full knowledge of the circumstances on both sides they have agreed to this.

8338. Lord Justice FRYGUESON.—But take their actual position. They agreed to amalgamate the institutions and abolish the office of registrar, and pay the outgoing officer £200 out of the trust property. How would that stand on an information by the Attorney-General?

Mr. Gerrard.—That is a question I have not had very much opportunity of looking into.

Lord Justice FRYGUESON.—That is the question you must meet.

Mr. Gerrard.—I confess that looking at this from a strictly legal point of view as regards the £200, even if charged as annuity, it would be better, if you have the money, to pay it off and have done with it. But take it first as an annuity, and look at it in that point of view. There are two institutions, each of which has a right to exist independently.

Lord Justice FRYGUESON.—Both of which are trust institutions.

Mr. Gerrard.—If by amalgamation you cut off a good deal of the expenses which have been hitherto existing and make it a more efficient institution, and if by doing that it becomes, in the opinion of the governing body knowing all the circumstances of the case, a question of dismissing an old servant, would it not be a very fair thing and one that no Government would interfere with, that if they have a right to continue in existence and to be spending salaries, and if by amalgamation they are getting rid of salaries and other expenses and making a more efficient establishment, they should say, "we will allow them to make reasonable compensation to an outgoing servant whose position is affected by the change."

8339. Lord Justice FRYGUESON.—The questions are distinct, whether his employment is to be put an end to, and whether putting an end to it is beneficial to the institution. Though they have agreed to declare that Mr. Keene's office shall be abolished, we cannot shut our eyes to the fact that his duties must be performed by somebody, and therefore that the abolition is not beneficial to the institution. Then abolishing his office, which engages only a small portion of his time, the rest of which is so valuable that he cannot be fairly called upon to perform any additional duties, you pay him £200. What would the Attorney-General say to that on an information? That is the point.

Mr. Gerrard.—That would entirely depend on all the facts before him, but I think that the material fact that you have in this—you are going to entrust the entire management of this trust money to a certain body who have collectively declared that they are agreed that this office of the registrar is to be abolished.

8340. Lord Justice FRYGUESON.—And their duty with regard to the trust is to abolish it on the cheapest terms that are reasonably fair, consistent with getting the work done.

Mr. Gerrard.—Then it comes to this, that if they find it conducive to the welfare of the society, whose funds they are dealing with, they have a right to give him reasonable compensation, and then the question will be what is the reasonable compensation.

8341. Lord Justice FRYGUESON.—And in our draft scheme we allow the governors, on dispensing with his services, to give him any reasonable retiring pension or gratuity, with the consent of the Commissioners of Charitable Donations and Bequests.

Mr. Gerrard.—If you do not agree with the view I am presenting now, I would put it in this way. I quite agree with what Lord Justice FRYGUESON says that the analogy is not perfect with respect to the telegraph clerks, but if you have a declaration by a clerk's employees that they are not going to re-employ him, because that is what I take the heads of the agreement to amount to, is he not in the position, practically, of a person whose office is being abolished, and who is getting no office equivalent of a corresponding character with a corresponding amount of salary, because you should have a new office in which he would only have an hour's employment and the same salary to bring him within the principle of the telegraph clerks, because any tribunal to which that would be referred should be a tribunal to ascertain whether the office which he was being offered was one similar in its duties and emoluments to that which he had already filled. Now you have got these two Committees jointly declaring that no such office will be in existence in the future.

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8542. **Rev. Dr. MOLLAT.**—You have made a great use of the joint Committee, and I think a very fair use, but the view I take of it is this, and you can set me right if I am wrong:—One of the two bodies, the Committee of the Kildare-place Society, is giving up a valuable property to another which is receiving that property for nothing, for the benefit of the Training College. Now the body that was giving up the property naturally wished to make the best terms they could for their officers, just like the telegraph companies when they wished to make the best terms they could for their clerks; and the body that was getting the property for nothing wished to remove any obstacle that might stand in the way of the bargain being completed. But I do not think that the views affecting these two bodies are precisely the views that we ought to take when we are making a permanent scheme to apply the funds to the best possible use for educational purposes.

Mr. Gerrard.—I do suggest this, that where the two bodies come before you to whom you are going to entrust the management of these funds and tell you "we do not look upon that as an agreement that we were coerced into consenting to and now ask to get out of owing to the special circumstances under which it was entered into, but we still consider, having regard to the more efficient way this can be worked and to the great advantages we are getting in taking away the body who had control of the large property on these grounds, we consider that the remuneration we are giving to one of the officers of that dissolved society is reasonable," I apprehend that that is a consideration that you will weigh carefully and not disregard. I do not ask to put it stronger than that, because I admit at once as a lawyer that you have absolute control, that you have a right to say "we do not consider that this ought ever to have been entered into," and that you refuse to allow it. £15,000 worth of property is being handed over by the old body to the new one, and the whole of that was under the management of Mr. Keene, who took a very modest view of his own position when he gave his evidence. I do not think he had anything in view in the way of exaggerating the position that he held. The Recorder has told you that he had a responsible position, and that he performed the duties of his office for 18 years to the satisfaction of his employers in every way. He had to collect rents and to discharge debts and to look after the business and to carry on the correspondence, a great deal of money passed through his hands, and he was an officer for which if it were being abolished he ought to receive a liberal remuneration in the nature of a gratuity.

8543. **Lord Justice FRANKLIN.**—As regards the buildings which you put down at £10,000 the Kildare-place Society, on the evidence, for nearly 50 years have never had the management, or any practical profit beyond the balance of the rents received over the head rent, some £20 per annum.

Mr. Gerrard.—No, because what they were doing was they were making a present of them. They had them let at £365 a year, but they were remitting it for the benefit of that institution which they believed to be carrying out the objects of the original Society as truly as it could, and so they allowed that Society to derive the benefit of the property.

8544. **Lord Justice FRANKLIN.**—But when the capital value of the property was being applied to other desirable purposes and the society derived no benefit, how can you take that into account in fixing Mr. Keene's compensation?

Mr. Gerrard.—Because that did not make the duties of their officers a bit the less.

8545. **Lord Justice FRANKLIN.**—The officers had nothing to do with these buildings except to receive and pay the rents which might be done in a few minutes in each half year.

Mr. Gerrard.—Of course if he were secretary of the Society now being established no man could do it except he devoted his whole day to it. No doubt if

the governing body of this Society were to work it as the Church Education Society were doing he would have to devote his whole time; instead of getting a small salary as he was, he would be getting a salary like Mr. Moore who has £400 a year out of it. So that it appears to me that Mr. Keene occupies a position different from that of the other officers, so far as you may act on the declaration that appears before you that his office is to be abolished. And therefore it would be justice to him that his position is not to be affected by the control of the new body who say that they do not require him.

8546. **Lord Justice FRANKLIN.**—His evidence was that he checked the accounts of the bookshop; that is not work for the principal of the Training College.

Mr. Gerrard.—He had nothing to do with the management of it, because Mr. Mayson is the manager of it at £150 a year, but he has a more responsible position, he is the treasurer to see that the money is spent and the purpose for which it is spent.

8547. **Lord Justice FRANKLIN.**—And if Mr. Mayson gives you give him only two-thirds of what he would be entitled to under the Superannuation Act, although he has only a year's service less than Mr. Keene, a very strong argument of justice that Mr. Keene's provision is not due compensation.

Mr. Gerrard.—The way to meet that would be to increase the amount in the other cases.

8548. **Lord Justice FRANKLIN.**—What is your view of the value to Mr. Keene of the hour in the day which he will have at his disposal, having regard to the evidence that he employs the rest of his time in college labours?

Mr. Gerrard.—It is very difficult to form an opinion in the case of a man coming to his time of life, having made his arrangements at the end of eighteen years. He has given his eighteen years.

Lord Justice FRANKLIN.—He will have an hour more for his remunerative work elsewhere, and this ought to be some credit against his compensation.

Mr. Gerrard.—Of course that answer might be given to everybody whose office was abolished. Now if you overrule that voluntary agreement between the two parties, and if the effect of that is the abolition of Mr. Keene's office, it is in the nature of compulsory abolition, and compensation ought to be awarded on this principle. And therefore I would ask on his behalf to have certainly some more distinct declaration of his rights. The Recorder has drawn my attention to the 11th section of this Act, under which you are acting, they say a vested interest, and not a right.

8549. **Lord Justice FRANKLIN.**—How can you have a vested interest that is not a right?

Mr. Gerrard.—He has this interest that he would have got this money if you had not intervened.

8550. **Mr. NASH.**—The commutation.

Mr. Gerrard.—Yes.

8551. **Lord Justice FRANKLIN.**—You must show me how he could have got it. I rather think that the Attorney-General would or ought to have intervened if you had attempted to pay him this £200 out of your trust money. To what precedent or analogy can you refer us to justify such a payment?

Mr. Gerrard.—That is as to the amount of it.

8552. **Lord Justice FRANKLIN.**—Or the principle, on the abolition of an office occupying only a small part of the officer's time, and the duties which have still to be performed by somebody at the cost of the institution; the Civil Service commutation is allowed only on the abolition of offices, the duties of which are no longer to be performed.

Mr. Gerrard.—That is assuming that the office is not to be abolished.

8553. **Lord Justice FRANKLIN.**—I speak not of the office but of the duties. These accounts have to be checked and this bookshop carried on still, and attendance for carrying on this work must still be given.

Mr. Gerrard.—I do not think you ought to assume

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that the office will be continued where you have the people to whom you are entrusting the management of it saying that they won't continue it.

8534. Lord Justice Fitzgerald.—I do not think we have. The body now about to be formed is not the same as that which agreed to pay off Mr. Keene. At the time of the agreement you had a body in possession of this property—land possessor—and another body who wanted the property but could not get it without the consent of those in possession, the two agreed for a transfer on certain terms, including a bargain to pay £2000 to Mr. Keene, but while they were still engaged in negotiation, the Act of Parliament passed which has enabled us to devote the property to its proper purposes, and we are creating a new body which, though it happens to be an aggregate of the former two, is not bound by their agreements, and we propose that this new body shall not pay off Mr. Keene without seeing that it is necessary to do so in the due administration of their trust.

Mr. Gerard.—I cannot, without repeating myself, put it stronger than I have endeavoured to do with regard to having the same bodies that entered into that agreement appearing before you to tell you that they adhere to the original agreement, and that they consider that the abolition of the office becomes necessary; and you will see that Mr. Keene has put his objection in this way—(reads objection). That will all cease, because that is all handed over to a new body, which has already a Secretary to do the work, which is being done in duplicate by these two officers, because there is already a man to keep the minutes of the society that is in existence.

8535. Dr. TRAILL.—Which ground do you go upon, that the duties are very onerous, or that the duties are very light, because it seems to me that on the one hand you are showing that the duties are very light, and that having because a sincere office it should be paid for, and now on the other hand you are showing that the duties are very heavy, and that the new body would be entitled to claim more than an hour a day?

Mr. Gerard.—I say that he is performing duties which now are already performed by another officer. You would not have two secretaries to do the work of the amalgamated institution. One already gets £400 a year for it—for part of the duty.

8536. Dr. TRAILL.—The £400 a year is given by the Training College, and has nothing whatsoever to do with the bookshop.

Mr. Gerard.—Certainly, but what I am saying is that he has duties to perform in keeping the minutes and attending the meetings of the Committee.

Dr. TRAILL.—Of the Kildare-place Society.

Mr. Gerard.—And he had very responsible duties to perform.

8537. Dr. TRAILL.—What rents had he to collect? Mr. Gerard.—£975.

8538. Dr. TRAILL.—Surely they always remitted?

Mr. Gerard.—No, he had to collect it and to pay the taxes.

8539. Dr. TRAILL.—I only want to know whether you are making out the duties of his office onerous or light?

Mr. Gerard.—I say they were responsible duties that took a man of intelligence a certain part of each day to do. And he had all those duties to perform, and he was receiving a salary of only £75 a year for it, which you would give to an ordinary clerk.

Judge Gessle.—And the cheques given for the payment of all the books were signed by Mr. Keene, he was at the head of the establishment, and if you take the turn-over at £3,000 a year, five per cent. would be £150. He received about £300 a year, rent and agent's fees on that would be £15 a year—that would be £165 a year for mere agent's fees.

8540. Lord Justice Fitzgerald.—The largest turn-over in any of the accounts does not amount to £3,000, but what trader could pay 5 per cent. on his gross turn-over to a bookkeeper?

Judge Gessle.—At 5 per cent. that would be £100 a year.

8541. Rev. Dr. MOLLOY.—I do not think, speaking for myself, Judge Gessle, that the salary was at all excessive—I think it was a reasonable salary.

Judge Gessle.—I wish the Commissioners to keep that in view in regard to a salary of £75 a year, that the duties were responsible, that the payments for all the books that came into the concern each year were made upon Mr. Keene's cheques, every fortnight of the money that was received week after week, and fortnight by fortnight, and that was practically a double account, and if you take £2,000, double that would be £4,000, and 5 per cent. upon £4,000 would be £200.

8542. Rev. Dr. MOLLOY.—What do you want us to do? Is it to carry out the agreement?

Judge Gessle.—Yes.

8543. Rev. Dr. MOLLOY.—We give you power in our scheme to do that, subject to the approval of the Commissioners of Charitable Donations and Bequests. We give this power to the two bodies who made the agreement, and in doing that we are following the precedent of the Telegraphs Act, which made the provision subject to arbitration.

Judge Gessle.—That would be very well if what you anticipate proved to be the case, namely, that the future Committee would be harmonious and would be similar to what it was previously; but on the contrary I believe that Lord Plunket will admit that hardly any of the committee of the old Kildare-place Society will go upon the committee of the new training college, so that practically the new body will be the training college alone, and then the members of the old committee would have retired.

8544. Lord Justice Fitzgerald.—We have now heard the matter fully, but assuming that we did not see our way to sanction a bulk payment, or to release Mr. Keene unless the new governing body do not require his services, I think you said there were still some matters that we ought to amend.

Mr. Gerard.—Yes, that supposing they come to the conclusion that they would not employ Mr. Keene at all, you have left it optional with them to do it, and I think in the first place that he certainly ought to get some compulsory remuneration.

8545. Lord Plunket.—In the clause as it stands it assumes that the officer to whom compensation is to be made is actually in the employ of the College. Now I think it would be well under any circumstances so to alter that as to allow them on the same conditions to make compensation to some officer who was not actually in their employ, but whose services they might not require to transfer to themselves.

8546. Dr. TRAILL.—What clause is that?

Mr. Gerard.—It is the joint operation of clause 11 and 27. Of course it might be that the effect of the clause would be to make him an officer of the new Society.

Lord Justice Fitzgerald.—That certainly ought to be made clear, and it should be made compulsory upon the governing body, to apply to the Commissioners to sanction a reasonable compensation if the officer's services are discontinued.

8547. Lord Plunket.—I wish to make one observation in consequence of something that fell from Judge Gessle. When I spoke of feeling myself bound to adhere to the terms of the agreement I never meant to say that I believed that I was legally bound to do so, but merely morally bound. We entered into an agreement to seek for an Act of Parliament, and not to allow that Act of Parliament to pass unless it contained certain terms, and I was prepared to adhere to that of course; but that fell through altogether. The whole aspect of the affair was changed when the matter was taken out of our hands, and had to be decided by a body outside of ours, and over whose proceedings we had no control whatsoever except by way of suggestion or counsel, and therefore I felt that we were bound to submit a scheme containing those terms of agreement, and having done that to support that scheme afterwards before the Court. But as to being legally bound, after the Court has come to a decision to

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take any other steps in the matter, I feel myself that there is no such legal obligation. I wish it to be made perfectly clear, lest afterwards the words that I made use of might be quoted.

5872. Mr. TRAILL.—What do you say to this, would you leave it to the Commissioners of Charitable Donations, or do you prefer that this Commission, of their own motion, should insert a figure?

Judge GASKILL.—If the Commissioners put in £200, Lord Justice FIREBRIDGE.—Your answer, perhaps, would depend on the figure.

The Recorder.—Allow me to add this word—I think as a lawyer that a vested interest is not the same thing as a vested right. It means your fair chance, otherwise a practical injustice might be done, for a man might lose a thousand a year which he enjoyed as a matter of fact, simply because he had had no legal right to it.

5873. Lord Justice FIREBRIDGE.—Now, Mr. Gerrard, we come to the larger question. What is your view of the charge of £200 a year upon the Kildare-place Society's funds for the non-government side?

Mr. Gerrard.—The Archbishop said everything I think that could be said in support of it, and the only question will be whether you will modify clause 4, section 6, leaving power in the hands of the governing body. There would be no special funds, it would be impossible to say at the present time that there are any special funds, because there are some parts of the funds that are certainly applicable to it, but you would have difficulty in ascertaining them at the present time.

5874. Dr. TRAILL.—Unless it means this, that no teacher in training can be admitted on the non-government side unless somebody is responsible for the cost.

Mr. Gerrard.—But the effect of that would be that that could not be paid except out of the future funds that would come in unconnected with that particular trust.

5875. Dr. TRAILL.—No, at present I understand the practice is that no teacher is admitted on that side unless a guarantee is given for their expenses.

Lord Justice FIREBRIDGE.—I confess I do not like this peculiar expression "special funds," but it is quoted from your own draft scheme.

Mr. Gerrard.—But you find the £200 along with it.

5876. Lord Justice FIREBRIDGE.—But we must see the applicability of this £200 to that special purpose.

Mr. Gerrard.—I would suggest that if you are making the £200 a charge on the premises, in reason you ought to modify clause 4, section 6, as to leaving it in the discretion of the governing body so that you should not leave anybody entitled to say that it is not a special fund.

5877. Lord Justice FIREBRIDGE.—I think it would be reasonable to say that any funds which are not specially applicable to other purposes may be applied, if the governors think proper, to that purpose.

Judge GASKILL.—I should say we would be satisfied with something of that kind, and we thought really the thing was fairly done because we thought that full control was given to the governing body of the Training College to determine how long they would continue this non-government side, and if they found that the public did not support them they had full power to stop it.

5878. Lord Justice FIREBRIDGE.—Now, Mr. Brown, we have to hear you.

Mr. Brown, &c.—I appear on behalf of the International Education Committee of the General Assembly. We do not come in a spirit of opposition to the Church of Ireland Training College. We recognise the good work it has done since it was instituted and the good work it is calculated to do. Our objection to the draft scheme is shortly this, that it hands over the property of the Kildare-place Society, which was admittedly a non-denominational society, to a body composed exclusively of members of one religious denomination and for distinctly denomina-

tional purposes. In fact our objection seems to go to the throat of the difficulty which Lord Justice FIREBRIDGE suggested was one of the difficulties of the Commission, namely, the question as to the proposed application of the property of the Society in accordance with the old trusts. Now what I submit on behalf of the body that I represent is this, that the proposed application under this scheme is not in accordance with the old trusts of the Society, there cannot be any doubt whatever that the Kildare-place Society was originally purely non-denominational. In the report of the Commissioners of the Irish Educational Inquiry, 1825, you will find at page 33, that after stating that the Society was formed in December, 1811, and that it was managed by a committee of gentlemen of various religious persuasions, the report proceeds at page 39—"The principles which they (the committee) professed to themselves" (reads), and you will find a similar statement contained in the report of the Royal Commission of 1854 to 1858, page 29. Now the next matter to which I wish to refer the Commissioners is page 48 of the report of 1855, where the composition of the general committee of the old Society is given. Of the general committee 31 appear to be members of the Established Church, 4 of the Society of Friends, 2 Presbyterians, and 2 Roman Catholics; and there are two vacancies.

5879. Mr. NARRIE.—How were the Committee elected?

Mr. Brown.—They were elected by the subscribers, which seems to raise another difficulty with regard to the present scheme. That shows that down to 1825 at any rate, and I think it could be even shown much later than that, all religious denominations were fairly represented on the general Committee of the old Kildare-place Society.

5880. Rev. Dr. MOLLAY.—Were represented—you cannot say fairly represented?

Mr. Brown.—Well, perhaps. I would not perhaps be inclined to say fairly represented because the representation of the Church for which I appear I think was too small.

5881. Lord Justice FIREBRIDGE.—But that representation was probably in proportion to the number of subscribers.

Mr. Brown.—There is just one other statement in the report of 1825 to which I wish to call your attention, which shows more or less the official attitude taken by the different Churches towards this old Society, and that would certainly go to show that the Church which has charge of the Kildare-place Training College at present is not the one to which from its original attitude towards the old Kildare-place Society all the funds should be transferred. You will find at page 49 that the Commissioners state that the Society does not appear to have received support at any time from the dignitaries of the Established Church, that the schools of the Society for Discontinuing Vice are naturally professed by them. The Commissioners then proceed to say "with respect to the position of the Presbyterian Church towards the Society"—(reads).

Lord Justice FIREBRIDGE.—Whenever there was money going the Presbyterians were willing to take it.

Mr. Brown.—But this clearly shows that the Church to which the whole benefit of the property of the Society is being transferred under the scheme did not deserve it from the attitude which they adopted towards the Society.

Dr. TRAILL.—But if the election of the members of the Committee was proportionate to the subscriptions and if the Established Church had 35 on the Committee it does not look as if they did not support it.

5882. Professor DOUGHERTY.—Is there any evidence that the representation on the committee was proportionate to the subscriptions?

Mr. Brown.—There is not.

5883. Professor DOUGHERTY.—None whatever? Might not the small number of Presbyterian representatives on the Committee be due to the fact that the head quarters of the Society were in Dublin?

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Mr. Brown.—I think so; quite so.

8580. Dr. TRAILL.—If the Presbyterians subscribed the larger part they would never have consented to \$5 of the Church of Ireland being on the committee if they had the power of voting against them.

8581. Lord Justice FITZGERALD.—With a view to coming to some practical suggestion, let me say that the way this case struck us was this—down to 1832 it was open to anybody and everybody to treat the Kildare-place Society as strictly un denominational, and so far as that Society still exists it has not changed its legal character; but after 1832, when the National Board was established, the property and management drifted, first in their own hands and afterwards in that of the Church Education Society into a different position, and from the time they first let the property away at a pecuniary rent, now forty years ago at least, the use of the property has been entirely denominational and for the exclusive purposes of the Church Education Society. From that time down to the present the only property actually received by the Kildare-place Society was the rents. The amount was crassly treated before us as £200 a year, but as a matter of fact though the Society received about £300 a year, they paid £110 a year head rent, to which the premises are still liable, and the remaining £190 went in salaries of officers and cost of repairs, and only a very small balance went into the general fund of the Society, from which they made small grants to a few schools. Those included, down to 1838 or thereabouts, some Covenanting Presbyterian schools, and some in England, but these, and all the schools older, such as the Irish Church Mission schools, were opposed to the National or un denominational system, and the amounts distributed were very small. The real endowment now available in the buildings. These have been unquestionably employed for many years as a Training College exclusively for Church purposes, and until the preceding schools were recently placed under the National Board, the primary schools held in the buildings were also practically denominational, being Church Education Society's schools. What weighed with us in proposing this scheme was, that as denominational Training Colleges are now sanctioned by law and are objects for which a public provision may be made, inasmuch as these buildings have been unquestionably denominational schools for so long, and are now in possession of a body constituted by the Church which has made a large outlay on them, we can best extend their usefulness by applying them for the purposes of a denominational Training College. Then I admit the question remains how we are to deal with the claim which the Presbyterians fairly put forward to share in the use of the place. The view that prevailed with me, and I think with others of us, was well supplied by Dean Dickinson in his evidence, that if we compel the new body to maintain their existing schools in connection with the National Board, these schools will be open to such other people as desire to obtain the benefits of them, and Presbyterians do unquestionably attend these schools in large numbers. The point to which I would direct your attention, Mr. Brown, is whether you can practically suggest any way, consistently with keeping this as a denominational Training College, by which, as regards the Presbyterians, it can be made more useful. We heard one suggestion that we should compel the governing body to train Presbyterian teachers (the Catholics have Training Colleges of their own now, and the Presbyterians have not), in the event of their desiring to go there. We had at one stage a clause in the draft scheme to that effect, but we found it very difficult to retain it without interfering with the harmonious working of the College, and endangering its support from the members of the Church.

Mr. Brown.—Well that was one of the proposals which I was prepared to make to-day, in the event of the Commissioners thinking that the buildings should be used in the way proposed.

Lord Justice FITZGERALD.—We are all agreed

that the actual use of the buildings for practical purposes should continue, as it is irrespective of all other questions those in possession have spent a great deal of money on them.

Mr. Brown.—I would not think of disturbing the present occupation of the buildings in any way.

8582. Lord Justice FITZGERALD.—I am glad to hear that; then assuming that the occupation of the buildings is to be for a Church Training College, what practical application do you make?

Mr. Brown.—To leave them practically as they are and to put them under a reasonable competition rent.

8583. Lord Justice FITZGERALD.—We looked into that, but I am afraid, in the first place, that the Act of Parliament hardly makes provision for that. But then arises the question, whether the balance of the £300 a year, over the £110 that went to pay head rent, was not practically all that, for nearly half a century, was required for the purposes of the Society, and even this remaining £200 was practically spent on denominational purposes.

8584. Rev. Dr. MONAGHAN.—Have you considered that £6,000 was actually spent upon these buildings? Now, suppose they had to give up that £6,000 and make it available for some strictly un denominational purposes?

Mr. Brown.—That is practically the proposal I have made in another way—if a rent could be put up on those premises and they were still contained in the property of the present holders, or if a lump sum were given for the buildings now, and vested in trustees on the trusts of the old Kildare-place Society.

8585. Dr. TRAILL.—How much money was in the buildings? The Church Education Society spent very large sums.

Mr. Brown.—They did, no doubt, and of course we have no claim to what the Church Education Society spent on them, but I think we have a reasonable claim to what was originally spent.

8586. Dr. TRAILL.—What is the present value of the buildings put up in 1814, represented then by £5,000?

Mr. Brown.—Not only the buildings, but the land.

8587. Dr. TRAILL.—The land is valued at £110 a year, but what would be the present value of buildings on which £5,000 was spent in 1814?

Mr. Brown.—I am not prepared to answer that, but certainly some value, and if any value, my argument applies.

8588. Lord Justice FITZGERALD.—The Government gave money 70 years ago to be spent on these premises by the Kildare-place Society, to which they belonged. When the Government parted with the Kildare-place Society, and stopped their grants, which they did in 1832, they deliberately left the premises in the possession of the Kildare-place Society, and have never since made any claim: in other words, they utilized the Kildare-place Society for their own purposes as long as it suited them, and then deliberately gave it up leaving it the large building which the Society has maintained ever since. Of course it was then as a capital sum which might have been claimed for public purposes, but it strikes me that it is very difficult for us in 1886 to go back and say that, though the public has deliberately left this place for 54 years in the exclusive possession of one denomination, the public right is now in the same position as it was in 1832. I need not tell you that if the place had not been since held by the Society, it would be now in ruins, or in the possession of some person who would be the owner under the statute of limitations.

Mr. Brown.—But there was no legal title to the premises at all. There was no one legally responsible for the trusts.

Lord Justice FITZGERALD.—The Attorney-General might have asserted them for the public, if there were any public trusts at all against them in possession.

Mr. Brown.—That is, they were trustees for the old trusts.

3882. Lord Justice Fitzgerald.—That is the very point I make, that if any member of the public had at any time through the Attorney-General filed an information against those who were there, it might have been declared that they were bound to hold the property under the old trusts of the Kildare-place Society. But if, instead of the gentlemen who represented the Society's trustees, as has been the case with a considerable amount of property throughout Ireland, had taken possession, you could not get them out at all after more than 40 years, and why are you to have a better right against those people who have been keeping up this place for educational purposes than you would have had against the property say of the Shelbourne Hotel if they had taken it?

Mr. Brown.—Simply because they were trustees.

Lord Justice Fitzgerald.—But it is now practically impossible to carry out the old trusts.

Mr. Brown.—Then you are to apply the doctrine of *ex-parte* as far as you can?

Lord Justice Fitzgerald.—We think we were doing that by compelling them to keep this place open as National schools in connection with their Training College.

3890. Professor DODDMEY.—Are they not bound to maintain these schools as part and parcel of the Training College?

Mr. Brown.—Yes, so that this duty is not cast upon them by you, but by Act of Parliament, so that you are not really making them carry out the old trust.

3891. Dr. TRAILL.—Is not the old trust impossible? The old trust was that the Bible was to be compulsory and catechisms to be excluded. You cannot carry out that now.

Mr. Brown.—But you can carry out the spirit.

Lord Justice Fitzgerald.—The Presbyterians are quite ready to go to any school where they would get education at the public expense on the condition of the scriptures being read and catechisms excluded, and the result is that I think they have got the lion's share of the Marlborough-street Training College at present.

3892. Dr. TRAILL.—They thought to carry out the trust by introducing the Bible, but they introduced the catechism also, and therefore they broke the trust. Well, the Bible was compulsory for them, but the exclusion of the catechism was compulsory also, and that was a breach of the trust. It is impossible to reconcile these two things now, and which half will you take?

Mr. Brown.—One half is much more easily carried out than the other, namely,—the reading of the Bible, but the exclusion of catechisms applying to religious discriminations.

3893. Dr. TRAILL.—How could that be done?

Mr. Brown.—But you are really not placing the property of the old Society under the National Board?

3894. Dr. TRAILL.—Yes, but we are.

Mr. Brown.—The teachers are in receipt of first class salaries from the Board.

3895. Dr. TRAILL.—In the way of fixed salaries, but there are extra subjects.

Mr. Brown.—You cannot remark that £50 as being spent on the National school?

3896. Dr. TRAILL.—Suppose you had house property in Dublin, and wanted to sell the rent of that house, what number of years' purchase would it bring? It seems to me that that would be the almost claim that could possibly be made against the £6,000, originally there. That would be ten years' purchase. That would be £1,000.

3897. Lord Justice Fitzgerald.—Mr. Recorder, it is of course against Mr. Brown in this matter that in 1852 the Government set up the National system, altogether of which the Catholics and Presbyterians excluded themselves, while those people in Kildare-place have ever since conscientiously put a self-denying ordinance upon themselves, not touching the new

State provision but keeping up this place all the time at their own expense to satisfy their own scruples. But still there are the buildings. Would it be at all possible to open the College to students of other denominations who desired to attend as extern pupils and to be trained as teachers? We are agreed that we will not try to construct any un denominational boarding school, and so far as it is a boarding institution we would not think of interfering with it, but we know very well what is at the back of all this. Marlborough-street Training College, maintained by the State, satisfies the Presbyterians, but it satisfies nobody else, its existence is therefore precarious; meantime there is no Presbyterian Training College, though there are Catholic and Church Colleges, and if they fell between the two stools they would want some place where they could get good training. Would it be compatible with the practical working of your institution to admit pupils for extern training?

The Recorder.—We found that this question had arisen in England a good deal, and that Mr. Chamberlain and some of the people who took an interest in education gave some attention to it, with the view of seeing whether admission to these denominational institutions could be secured to students not members of the denomination; there were several attempts to introduce non-sectarian departments, because the Nonconformists, as they call themselves conveniently in England, had not these denominational colleges just as here, and there were several suggestions like that that they ought to be open to every denomination. At present they have not been able to work it out for the very reason suggested by Lord Justice Fitzgerald, that the basis of these is that they are to be denominational, and it would be very hard to make a system satisfactory to all parties. I may say that I should for my own part be delighted by the admission of our Presbyterian brethren, but there are a whole lot of people who would be frightened by thinking that it would be the means of introducing disagreement upon the Board and in the management.

3898. Dr. TRAILL.—You would get your results free from the Government for presenting students?

The Recorder.—Well at present we have an arrangement with the National Education Commissioners, but it is not under the Act of Parliament.

3899. Lord Justice Fitzgerald.—I assure you it is. The Act 47 and 48 Victoria, chapter 25, enables loans to be given for building, and the rules under which you get annual capital are also sanctioned by Parliament.

3900. Rev. Dr. MOLLOY.—You spread three-fourths of the whole expense of the school, provided that expense does not exceed a certain amount. There is no provision in that scheme as far as I can see for extern pupils.

The Recorder.—None whatever, and I think I am right in saying this, that the rules of National Board make it essential that it should be a denominational establishment.

3901. Professor DODDMEY.—Nothing of the kind; there is not a word of the denominational character of these Training Colleges from the beginning of these rules to the end; and with respect to the extern pupils, inasmuch as the Commissioners recognise extern pupils in connection with the Marlborough-street institution, it does not appear to me that the difficulties suggested by Dr. Molloy would be insuperable. Of course they would require to be discussed, and would be a matter of arrangement with the Treasury, but I do not suppose any difficulty would be raised with respect to your obtaining a grant for an extern class inasmuch as the Commissioners in Marlborough-street have an extern class themselves.

Judge GONNELL.—I quite concur with the Recorder in the desire that an arrangement of that kind might be made if it were possible, but I would first throw out this suggestion whether it would satisfy the Presbyterian body, that the Training College could introduce a rule merely providing that any teacher in training, who was not a member of the Church of Ireland, should

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not be required to attend the teaching of the formal sciences or catechism, instead of going so far as to make them extern pupils. If they were extern pupils you could not get a capitation grant I am afraid.

8602. Lord Justice FITZGERALD.—I think that is not so; the National Board's provision as to Marlborough-street is:—"the Commissioners may recognise an extern class which is composed of a limited number of duly qualified young persons who wish to become National teachers"—(reads)—and a note to the rule states that it applies also to private Training Colleges. It would occur to me that you have here unquestionably some property, on which the Presbyterians have some claim, and if we put in a clause that would enable you to establish an extern class, would that meet your approval?

Judge GIBLIN.—If the pupils only attended instruction the Government would refuse to give any capitation.

8603. Dr. TRAILL.—Mr. Recorder, would not there be really this difficulty, that one of the great objects of the denominational colleges has been that each denomination should have in their own hands the most absolute and entire control of their teachers, and it has arisen from the Roman Catholics and the Church considering it a sine qua non that the absolute control of the instruction of the teachers in religious matters should be entirely in their own hands. Do you think that a denominational college could be really worked on such a basis if one-half or one-third or any proportion of the teachers in training are to be held under a conscience clause "you may now leave the room as the atheism is going to be taught"?

8604. Lord Justice FITZGERALD.—We are all agreed that we should not mix up the boarding schools, and therefore it limits itself to whether it is possible for us and whether we ought to put in some extern class clause by which members of every denomination would be entitled on application to attend, without charge, the model and providing schools and the lectures of the professors.

8605. Dr. TRAILL.—Without charge—how could that be done?

Lord Justice FITZGERALD.—"Without charge" would require modification.

8606. Rev. Dr. MOLLAY.—Mr. Recorder, which would you prefer, paying rent for the buildings to the extent of £300 a year, which I think really represents what is being handed over to you, or receiving extern pupils of other denominations? You must bear in mind that the rent you would have to pay would practically enter into your annual expenses, and three-fourths would be paid by a grant from the Treasury. Thus while you would pay only £50 out of your own funds, the amount available for general education would be £300. Should you prefer that, or should you prefer to receive extern pupils of other denominations?

The Recorder.—Speaking alone, I should not object to sharing with other denominations if we could afford it, but our regular charges are so high at present, we are so much hampered by the conditions of the Government grant, and by the very large building improvements we are embarking in now, that I doubt whether we could possibly bear any further charge. Then, we are obliged to please a very large number of people through the country who are rather strict in their criticism of the College, and though personally I should be very glad to make provision for any other denomination who were good enough to come to us and to trust us, yet it is a difficult thing to make people who talk the strongest understand the actual facts of a complicated question; and unless Professor Dougherty's people were really asking for what they held to be a real advantage for themselves, I would eagerly put it upon them not to ask us to make room for them. What I should be afraid of would be this, that some of our supporters would say, "Oh, there you are going back to the mixed principles of the National Board. You told us you had established this as a Training College for our Church only." Now,

remember that what we have to do is not merely to provide the 25 per cent. towards the government department, we have to provide the whole of the building improvements and the whole 100 per cent. of the non-government side.

8607. Professor DOUGHERTY.—But you are getting a very valuable property which at a very low estimate is worth £15,000.

The Recorder.—Up to 1832 there was no doubt a very large claim on the part of the Roman Catholics and on the part of the Presbyterians and of everybody in the country in consequence of the very ambitious idea that the old Kildare-place Society had, and that was that they could be, the National Education Board for Ireland, that was what they professed to be able to be, but people would not have it on their terms, and they went out from it by degrees; the Society was not under charter, and although there was this provision providing that the Bible was to be taught and no sectarianism, that was only a rule, and it could have been modified at any time by a meeting of the whole body, for one of the rules provided for changes in any of the laws by public annual meeting. When Parliament came in in 1832 and altered this system, the Society was left to shift for themselves, and the Government and the country said "we have utilized you so far, we cannot utilize you any more, go on and exercise those buildings as you please." There was no attempt to ask them to give back what had been given, because it had been voted freely by Parliament out of its own bounty.

8608. Professor DOUGHERTY.—If anybody proposed to settle a scheme for Maynooth, giving the property of Maynooth, originally given by the bounty of Parliament, to a body differing fundamentally from the body which erected Maynooth College, do you think it likely that somebody would interfere and say "this cannot be done consistently with the trusts"?

The Recorder.—In this instance Parliament said, "Go on, we will help you no more," and then it fell into the hands of our denomination. No doubt this was not perfected until 1847 when the Church Education Society came in, but it was always verging towards it.

8609. Mr. NISSE.—In the interval between 1832 and 1847, what became of it?

Mr. Storer.—The change was gradual.

The Recorder.—It was merging to a purely denominational institution.

8610. Professor DOUGHERTY.—We have had evidence that they continued to make grants to Presbyterian schools as late as 1852.

The Recorder.—I think the amount of those grants would afford a fair test of what the amount of their interest in the endowment would be; but at any rate for 30 years it has been in our hands, and if we were a wealthy body, if we had not these tremendous responsibilities upon us, we might be glad to do what has been suggested; but looking at these responsibilities, and the difficulty of getting money, I am afraid on the other hand by enlarging our boundaries for other denominations we should be offering only a questionable advantage to them. However, if they insisted on this questionable advantage, and we could grant it having regard to our resources, I would trust that we should seek to make it as substantial as circumstances permitted. If we were really able to bear the burden I would not be the man to say we should refuse it.

8611. Professor DOUGHERTY.—What are these responsibilities to which you apply this adjective "tremendous"?

The Recorder.—At present we find it difficult enough to get the hundred per cent. for the non-government side and the twenty-five for the government side all by subscription, while at Marlborough-street there is the prestige of the Government establishment without any of the financial drawbacks or hindrances to which we are subjected; then if we admit other denominations, men will stand up in the Synod and say

"Oh, that is a very picturesque affair you have got in Kildare-place. If we are to have a mixed institution there was a better one there before for nothing, without coming to tax us." If we admit other denominations, people will say "Oh, you told us that if we established a Church College there it would be all for ourselves, and now you are allowing in the conscience clause of the National Board that people are to leave when religious education is attempted to be brought to bear upon them, and you are telling them to go away, introducing a conscience clause." I do not object to it myself, but I think there are people who won't understand it.

8613. Dr. TRAILL.—Would not you lose your subscriptions wholesale?

The Recorder.—I do not say wholesale, but we would lose a good deal, and we cannot afford to lose any.

8613. Professor DOUGHERTY.—What is the amount of your subscriptions at present?

The Recorder.—We have raised for building £5,000.

8614. Professor DOUGHERTY.—What is the annual amount of the subscriptions you receive for the maintenance of the Training College?

The Recorder.—It is in round numbers at present, £3,700.

8615. Professor DOUGHERTY.—Is that apart from the buildings charge?

The Recorder.—It is for everything.

8616. Professor DOUGHERTY.—As I understand it, you are raising a certain amount of money for building purposes in connection with the Training College, and I want to put that out of sight for the moment and to find out what is the amount of the annual subscriptions which are given to maintain the Training College?

The Recorder.—About £700 for the Government department.

8617. Lord Justice FITZGERARD.—In the report for 1885, I find Government department contributions, £135; non-Government department contributions, £234; General Fund contributions, £507 17s. 8d.

The Recorder.—The first year we only took in thirty-five female students on the Government side, and it was established the following year on the bismal system. We have to raise £750 a year on the Government side to get the 25 per cent., and we have to pay the whole of the other, which is between £1,800 and £2,000 a year. That is between £3,000 and £3,000.

8618. Dr. TRAILL.—How much more do you expect to have to pay for the new buildings?

The Recorder.—About £5,000 altogether.

Judge GIBBLE.—Might I take the opportunity of throwing out another suggestion with regard to that proposal to admit other denominations? After considering it more fully I think it is a dangerous thing to introduce. If you introduce at all the element of allowing some persons who are not denominational it will be a constant source of friction with regard to the future management of the College.

8619. Professor DOUGHERTY.—Is not that directly in the teeth of the rules of your Society?

Judge GIBBLE.—I mean with respect to money, and not with respect to the admission of pupils, but you cannot make arrangements about the people without making provision for the future management, you have no provision in your scheme for that, and therefore I think that the admission of extern pupils will be a cause of dissension.

8620. Dr. TRAILL.—Might they not also claim a voice in the governing body after a while?

Judge GIBBLE.—Yes.

8621. Rev. Dr. MELLOR.—Then it is a great advantage to the new system that it should be strictly denominational?

Judge GIBBLE.—Yes.

8622. Rev. Dr. MELLOR.—But if in order to secure that advantage we hand over to you £5,000 of property intended for un denominational purposes, should we not charge you a fair rent for it?

8623. Dr. TRAILL.—Ought not we to assume that the £5,000 is but £1,000 now?

The Recorder.—I believe there was a great deal more than £5,000 of Government money in it, but I ask you to go on the broad view, that since 1832 we have been left to our own resources, and we have sustained that burden, and the great policy of the statute of limitations, one which is introduced into every civilized jurisprudence in the world, to allow lapses of time to operate in favour of possession, is on our side.

8624. Dr. TRAILL.—I want to get at the present value of that £5,000 put into this building by public money in 1814. The interest of that at 3 per cent. is two hundred and odd pounds, and the head rent is £110. Now, is the property worth more than ten years' purchase of the difference, say £1,000?

The Recorder.—There was a very much larger amount than £5,000.

Dr. TRAILL.—Not on the buildings.

Lord Justice FITZGERARD.—We went into all that, the annual grants were all spent on the schools throughout the country, the only money that we could identify as still represented by property was the original building grant of £5,000, and I believe a small supplementary grant to finish.

Dr. TRAILL.—I say that the commercial value of that £5,000 is £1,000.

Mr. BROWN.—I say the difficulty from the first of putting a rent on the premises was giving the trustees a limited sum to carry out the trusts, and therefore I was prepared to make the suggestion, which has been made by Lord Justice FITZGERARD, as one which would satisfy the Presbyterians, namely that the teachers and students of the Presbyterian Church should be admitted to the purely educational advantages of the Church of Ireland Training College in Kildare-place, they taking on themselves the responsibility of providing a boarding-house for them here in Dublin; and let them be admitted to the College under the protection of a fair conscience clause. This is a proposal which might yet, and in a very short time, become really of advantage to us.

8625. Dr. TRAILL.—You have admission already in Marlborough-street.

Mr. BROWN.—We do not know how long that will last, and whether it will be for very long the Government will keep it up for one religious denomination.

8626. Dr. TRAILL.—Well, won't that give you a claim for compensation against the Government instead of against us?

Mr. BROWN.—We will do our best. We are in danger of being left more or less on our beam ends with reference to a Training College. The Marlborough-street College is not likely to be permanent, and therefore it might be of great advantage to us to be able to get admission to this College.

8627. Dr. TRAILL.—Do you propose to pay for them?

Mr. BROWN.—I suppose with respect to that fair terms might be made.

Professor DOUGHERTY.—We are paying the Society in advance by handing them over this property.

8628. Dr. TRAILL.—For £20 a year you want to get £800 a year. All you want, Mr. Brown, is a conscience clause?

Mr. BROWN.—All I want is a conscience clause.

8629. Dr. TRAILL.—That you will not get.

Mr. BROWN.—A clause in your draft scheme provides for the admission of extern students.—Clause 4.—"To provide upon such terms and conditions as the governors shall from time to time think expedient for the admission to the Training College of extern students, male and female, who are preparing to become or are already teachers, but so that the provision for resident students shall not be prejudiced thereby."

8630. Lord Justice FITZGERARD.—It would be perfectly open to the governors under that to admit Presbyterians, but Mr. Brown contends that they should be obliged to receive students subject to a conscience clause. Now, Mr. Brown, we have heard you, and I think you will have gathered that, while there is a great deal to be

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said in favour of the principle for which you contend, we must in the first place carefully ascertain whether the rules of the National Board would admit of payment for these extern classes, and we must also see that we do not destroy the substance for the shadow, for if we put in a conscience clause for extern students in training, you see the danger that it may stop the subscriptions for the maintenance of the place. We cannot put it in if it would expose the governors to that danger, and in that case, you must only "kill a Hessian for yourself," and establish a Training College of your own.

Dr. TRAILL.—Certainly you can scarcely ask the Church to shipwreck its whole source of supplies on an imaginary thing of this kind.

1831. Professor DOUGHERTY.—Why should you not give this conscience clause?

Dr. TRAILL.—Simply because you cannot get the subscriptions.

Lord Justice FRYGEMAN.—In this case as in that of Swords, the settlement of the scheme now passes on to the shoulders of my judicial colleague and myself, and it is by no means easy to settle it in this case.

The sitting was then adjourned.

DOCUMENTS.

No. I. (a.)

CIRCULAR ISSUED TO GOVERNING BODIES.

The immediate attention of the governing bodies of educational endowments is directed to the provisions of section 30 of "The Educational Endowments (Ireland) Act, 1885," under which any governing body desiring to submit a draft scheme for the consideration of the Commissioners must give notice of their intention to do so on or before the 30th day of November instant, and submit their scheme within two months thereafter. Unless these steps are taken, the right of requiring the Commissioners to take the scheme proposed by the governing body into consideration before preparing any other, and to submit it to the Lord Lieutenant in Council with any scheme of their own, will lapse.

To assist governing bodies in determining whether they should give the prescribed notice, and also to guide them in preparing draft schemes, the Commissioners think it right to state, in general terms, the course which they propose to follow, subject to such variations or the circumstances of particular cases may require.

The endowments which come within the scope of the Commission may be divided into two classes: first, those which come of necessity under the operation of the Commission, and secondly, those which may obtain the advantages offered by the Act, but which cannot be brought under its operation without the written consent of the founder or governing bodies.

As regards the first class of endowments, it will be the duty of the Commissioners to exercise their compulsory powers so far as may be necessary to effect the objects of the Act, but before preparing their own scheme they are required to consider any draft scheme duly submitted by the governing body. Each scheme so submitted should fully provide for the permanent settlement of the property of the endowment, and for its future management in such manner and upon such conditions as may seem best calculated to secure its efficiency, and to extend its usefulness to all persons entitled to benefit from it, in accordance with the provisions of the Act, the objects of the foundation, and (in the case of private endowments) the spirit of the founder's intentions.

Every scheme sanctioned by the Lord Lieutenant in Council will have the force of an Act of Parliament, and these orders constitute the charter of the endowment; it is therefore desirable that each draft scheme submitted for consideration should be complete in itself, fully empowering the governing body to discharge their trust with efficiency, and containing all provisions of any existing statute, charter, or other instrument which are to remain in force. The scheme may, among other provisions, define, extend, or alter existing powers, remove or modify obsolete or injurious restrictions, sanction the sale and reinvestment of property, or readjust the conditions regulating the management of the endowment, amalgamate or divide endowments, and provide against the risk and expense of personal trusteeship by incorporating the governing body, or vesting the endowment in an existing corporate body in trust for the governing body.

As the jurisdiction of the Commission with regard to each endowment will be exhausted as soon as the scheme shall have been approved by the Lord Lieutenant in Council, it should make ample provision to enable the governing body, as thereby constituted, thereafter to manage the endowment without recourse to other authority.

The submission of a draft scheme by each governing body coming under the operation of the Act, whether compulsorily or otherwise, will, besides securing the rights already mentioned, give to the Commissioners, in the most convenient and definite shape, a statement

of the views of the present governors as to the best mode of dealing with each endowment.

It may be in some cases doubtful whether endowments are, wholly or in part, excepted under section 7, of which a copy is appended.

To relieve governing bodies in such cases from the risk of losing the right of submitting draft schemes prepared by themselves, through any apprehension that the notice of their intention to do so might involve submission to a jurisdiction of which they do not desire to avail themselves voluntarily, and from which they may consider themselves exempt, the Commissioners are prepared, where this question is raised, to receive notices and draft schemes provisionally. Any governing body which does not admit the jurisdiction of the Commission may by their notice reserve the right to contend, in the first instance, that their endowment is within some of the exceptions contained in section 7. In each such case the Judicial Commissioners will, before considering the draft scheme, hear and decide the question of exemption, requiring the governing body to furnish the evidence necessary for its determination. If the exemption is established, the Commission will not proceed further upon the notice or draft scheme, unless with the written consent of the founder or governing body, and where the exemption is not established, the rights arising from the service of the notice and submission of the draft scheme will be recognised.

As the Act requires the Commissioners to take each draft scheme duly submitted by a governing body into consideration, before preparing their own scheme, arrangements will be made, whenever practicable, by which the full body of the Commission will take part in the first instance in the consideration of such draft schemes. Public notice will be given of the lodgment of each draft scheme, opportunity will be given to all persons interested to furnish objections and propose amendments, and a time and place will be afterwards appointed for the consideration of the scheme, when the Judicial Commissioners will attend, and the governing body and others interested may submit their views.

By order of the Commissioners,

WM. EDWARD ELLIS, Secretary.

23, Nassau-street, Dublin,
November 3rd, 1885.

Section 7 enacts as follows:—

Act not to apply to certain Endowments.

This Act shall not apply:—

- (1) to any endowment belonging to, or administered by, or in the gift of the University of Dublin, or Trinity College; or
- (2) to any endowment solely or mainly applicable or applied for the purposes of theological instruction, or belonging to any theological institution; or
- (3) to any endowment which in the discretion of the governing body may be wholly applied to other than educational purposes; or
- (4) to any endowment or part of an endowment (as the case may be) given to charitable uses, or to such uses as are referred to in this Act, at any time after the passing of this Act; or
- (5) to any endowment consisting of voluntary subscriptions, or associations, or investments thereof; or
- (6) to any endowment applicable and provided exclusively for the benefit of persons of any particular religious denomination, and which is under the exclusive control of persons of that denomination,

unless the founder or the governing body of such endowment, or the trustee or governing body of such university, respectively, shall intimate in writing to the Commissioners their consent that such endowment shall be dealt with under this Act.

No. II. (a.)

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

CIRCULAR TO INTERMEDIATE SCHOOLS.

23, Nassau-street, Dublin,
26th October, 1885.

SIR,—I am directed to invite your attention to the following resolutions adopted by the Educational Endowments (Ireland) Commission:—

1. That, with respect to the endowments of public schools available for Intermediate Education, an opportunity be afforded to the representatives of the several religious denominations to appear before the Commission and present their views on matters—

(a) Their claims upon the endowments in question.

(b) The manner in which those endowments may be best applied in the interests of education.

2. That this opportunity be afforded, in the first instance, on the occasion of the inquiry into the Royal Schools.

3. That it is desirable, as a general rule, to apply endowments to the support of schools already existing and successful rather than to the establishment of new institutions. The Commission will, however, consider the claims of any localities in which it may appear that education is not adequately provided for.

4. That in order to collect the information required to enable the Commission to deal satisfactorily with the endowments applicable to Intermediate Education, a circular be sent to each Intermediate School in Ireland asking for a return showing the extent and character of the education supplied.

In accordance with the last of these resolutions the enclosed form of return has been prepared, which it is intended to send to all Schools of the class qualified to receive Results Fees from the Intermediate Education Board. As it is of great importance to the work of the Commission that the fullest possible information should be received, you are requested to fill up the form with respect to your own Institution, and return it to this office. But if you should have any difficulty in furnishing answers under all the heads of enquiry, the Commission will be glad to receive so much of the information sought for as you find it convenient to give.

A stamped and directed envelope is enclosed for a reply.

I am, sir, your obedient servant,

WM. EDWARD REAG, Secretary.

No. II. (b.)

RETURN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

INTERMEDIATE SCHOOLS.

Name of School, _____

(A). Constitution and System of Management.

(B). Resources, if any (other than School Fees), available for support of School or payment of Teachers.

(C). Number of Teachers.

(D). Subjects of Instruction.

(E). Is School denominational or mixed; if denominational, to what denomination does it belong?

(F). Number of Pupils of each religious denomination.

(G). Estimated percentage of Pupils intended for

(a). Universities or Colleges.

(b). Higher Examinations for the Public Service.

(c). Professions { Clerical.
Legal.
Medical.

(d). Mercantile Pursuits.

(e). Other Callings.

(H). Extent, Character, and Results of the Education given during the last three years.		1882-3.	1883-4.	1884-5.
(i.)—Pupils receiving Intermediate Education :—				
Number of	Boarders			
	Day Scholars			
Number learning	Classics { Greek and Latin .			
	{ Latin only .			
	Modern Languages { English and Foreign			
	{ English only .			
	Mathematics { Euclid and Algebra			
	{ Arithmetic only .			
Physical and Natural Sciences .				
Number receiving Technical Education (if any) . .				
(ii.)—Results of Intermediate Examinations :—				
Number of Exhibitions* gained by Pupils from the School				
"	Book Prizes " " " "			
"	Medals " " " "			
Total Number of pupils who passed the Examination	Senior Grade . . .			
	Middle Grade . . .			
	Junior Grade . . .			
Amount of Results Fees received		£	£	£
(iii.)—Pupils Matriculated direct from School (mentioning any distinctions gained at Matriculation) :—				
in the University of Dublin				
in the Royal University of Ireland				
in the _____ University				

* The 240 Prizes awarded in the Senior Grade are to be ranked as Exhibitions.

Signature.

(State whether President,
Head Master or otherwise.)

Postal Address.

Dated this day of , 188

OBSERVATIONS AND OTHER INFORMATION.

N.B.—With respect to any School where Pupils have not gone up to the Examinations of the Intermediate Education Board, or whose Educational work, in the opinion of the Head Master, is not fully represented by the results of these Examinations, the Commission will be glad to receive other information setting forth the Educational work done in the School. Such information, with any observations which it may seem desirable to add, should be written below.

RETURN furnished by the COMMISSIONERS of CHARITABLE DONATIONS and

Donor.	Will.	Test, Scheme, &c.	Date of		Principal Fund.
			Probate of Will.	Will, Devd, Scheme, &c.	
					£ s. d.
Abbott, John, . . .	Will.	—	15 October, 1865.	—	548 8 0 Concoth.
Bell, William, . . .	Will.	—	22 July, 1875.	—	654 0 0 New Thos.
Berningham, Anna, . . .	Will.	—	10 July, 1875.	—	20 0 0 Cash.
Do.	do.	—	do.	—	22 0 0 Cash.
Do.	do.	—	do.	—	25 0 0 Cash.
Do.	do.	—	do.	—	28 0 0 Cash.
Brown, Robert, . . .	Will.	—	21 October, 1865.	—	1,175 0 0 New Thos.
Camp, Corinna, . . .	Will.	—	5 December, 1875.	—	—
Do.	do.	—	do.	—	—
Chaplin, Lewis, . . .	Will.	—	5 May, 1765.	—	460 10 0 Concoth.
Bishop Chenevix and Bishop Fox,	Will.	—	—	15 August, 1775.	608 0 0 Cash.
Chelmsford,	Will.	Scheme (copy here-with)	—	About 1785.	2,708 15 0 New Thos.
Stewart,	do.		—	1 May, 1781.	—
Coen, St. Rev. Dr., . . .	See observations.	—	—	—	55 4 4 New Thos.
Deceased Clergyman's Fund, . . .	See observations.	—	—	—	35 4 0 Bank of Ireland Stock.
					480 0 0 Four per cent. R. bonds. Stock of Dublin & Northern Counties Railway.
Evans, Rev. G., . . .	See observations.	—	—	—	510 10 0 New Thos.
Fitzgerald, J., . . .	Will.	—	15 February, 1862.	—	2,675 10 0 New Thos.
Fallister, Dr. G., . . .	See observations.	—	—	—	5,860 0 0 Cash.
Gibbet, David, . . .	Will.	—	15 February, 1865.	—	435 15 0 Concoth.
Gibbet, William, . . .	Will.	—	14 January, 1865.	—	1,085 12 4 New Thos.
Gardiner, G., . . .	Will.	—	—	5 January, 1765.	4,120 15 0 New Thos.
General Orphan House, . . .	See observations.	—	—	—	161 15 0 New Thos.
					40 5 5 Excess (gross).
Giffen, John, . . .	Will.	—	21 March, 1875.	—	300 0 0 Cash.
Goldsmith's Expenditure Fund, . . .	See observations.	—	—	—	215 0 0 New Thos.
Jackson, Michael, . . .	Will.	Scheme of this Fund.	22 March, 1814.	2 March, 1861.	—
Jackson, Margaret, . . .	do.		24 August, 1814.	—	—
Kiney, Joseph, . . .	Will.	Scheme of Vice-Chancellor.	19 March, 1875.	18 July, 1875.	2,154 15 0 Concoth.
Kyle Irish Fry, . . .	See observations.	Scheme of this Fund.	—	—	270 15 0 New Thos.
Lewis, A. G., . . .	See observations.	—	—	—	385 15 0 Concoth.
McDonn, James, . . .	Will.	—	22 April, 1875.	—	22,546 11 10 Various.
					(orthodox).
McCarthy, Leah, . . .	Will.	—	15 May, 1864.	—	1,500 0 0 Cash.
Do.	do.	—	do.	—	1,800 0 0 Cash.
Do.	do.	—	do.	—	5,000 0 0 Cash.
O'Sullivan, Hugh, . . .	Will.	—	—	1765.	5,045 17 7 New Thos.
Palmor, Roger, . . .	Will.	Scheme in Chancery.	21 November, 1812.	15 June, 1865.	5,121 7 7 New Thos.
Parsons, James, . . .	Will.	—	21 September, 1815.	—	610 15 5 New Thos.
Power, Mary, . . .	Will.	—	16 June, 1861.	—	1,640 1 4 Concoth.
					1,615 7 8 New Thos.
Do.	do.	—	do.	—	539 8 7 Concoth.
Reade, Philip, . . .	Will.	—	22 May, 1815.	—	287 17 0 New Thos.
					27 35 0 Concoth.
Robinson Memorial Fund, . . .	See observations.	—	—	—	725 15 0 New Thos.
Roel, Susan, . . .	—	Deed of Trust.	—	5 January, 1865.	280 0 0 New Thos.
Stephenson, Sarah, . . .	Will.	—	5 September, 1875.	—	120 0 0 Cash.
Thorn, Peter, . . .	Will.	—	18 August, 1875.	—	350 0 0 Cash.
Do.	do.	—	do.	—	350 0 0 Cash.
Verduyn, R. J. G., . . .	Will.	—	2 July, 1875.	—	4,985 15 11 New Thos.
Waters, E., . . .	Will.	—	—	5 August, 1815.	—

No. IV.

CORRESPONDENCE between the EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION and the COMMISSIONERS OF CHARITABLE DONATIONS and REQUESTS.

Referred to in the Report, p. xiv.

No. IV. (a.)

SWORDS BOROUGH SCHOOL, and CHURCH OF IRELAND TRAINING COLLEGE.

Educational Endowments (Ireland) Commission,
23, Nassau-street, Dublin,
15th June, 1886.

GENTLEMEN,—I am directed to draw your particular attention to the portions of the draft Schemes dealing with the above named endowments (copies enclosed), in giving effect to which your Commissioners' co-operation would be required.

If any further copies of the draft Schemes are required for the use of your Commissioners, they may be had on application to this office.

I am, gentlemen, your obedient servant,
WM. EDWARD ELLIS, Secretary.
The Secretaries, Commissioners of Charitable
Donations and Requests,
2, Kildare-place.

No. IV. (b.)

SWORDS BOROUGH SCHOOL.

COMMISSIONERS OF CHARITABLE DONATIONS and REQUESTS for IRELAND.

2, Kildare-place, Dublin,
24th day of June, 1886.

SIR,—With reference to your letter of the 15th June, enclosing draft Scheme in above charity, I am directed by the Board in the first place to inquire with reference to clause 10, as to what is meant by the words "competent authority," and with regard to this clause I am further to inform you that if it is intended to empower this Board to appoint any person whom they may select as auditor, they would not be prepared to accept their responsibility, unless they were at the same time empowered to pay him for his services.

With regard to clause 13, the Board would be prepared to accept the custody of the funds; but

with regard to the succeeding clauses of the draft scheme under which it is proposed to confer upon this Board a share in the management of the school, I am directed to call your attention to the accompanying extract from the minutes of the Board, of the 29th day of March, 1883, and to inform you that the Board see no reason at the present time for departing from the principles laid down in that minute.

With regard, however, to clause 31, enabling my Commissioners to alter Schemes from time to time, the Board as a matter of course would be prepared to accept their responsibility which has been thrown upon them by Act of Parliament.

Faithfully yours,
ARNOLD F. GRAVER, Secretary.

The Secretary,
Educational Endowments Commission.

EXTRACTS FROM BOARD'S MINUTES OF 26th MARCH, 1883.

"The Board of Charitable Donations and Requests has not time, nor a sufficient staff of officers to enable it to manage the details of the administration of many charities. For this reason, the following points ought to receive attention in the settlement of every scheme for administering any funds recovered by the Board. In the first place, the duty of the Board ought to be limited to paying the net funds in the case (after payment of costs) to trustees appointed by the Court of Chancery." As soon as the funds are transferred to the trustees, the Board should be relieved from all further responsibility, unless information should again make it their duty to interfere. The Board has before it several instances of inconvenient deviations from this rule. Thus, in one case, the donors direct the trustees to purchase land "with the approbation

of the Board;" in another case, the trustees are ordered to submit their accounts every year to the Board. Now, the Board has not in its employment any staff of surveyors, valuers, inspectors, or other officers to enable it to form a useful judgment in the purchase of land, or the judicious expenditure of the trust funds. Such devices lead to lessen the responsibility of the trustees without providing any adequate check as a substitute, while they impose a duty on the Board which it cannot efficiently discharge from want of officers, of time, and of judicial authority.

"These cases are referred to as examples, but the same objections are applicable to every instance in which the donors continue the connection between the Board and the administration of charity after it has parted with the funds."

No. IV. (c.)

CHURCH OF IRELAND TRAINING COLLEGE, SOCIETY for PROMOTING the EDUCATION of the POOR in IRELAND.

COMMISSIONERS OF CHARITABLE DONATIONS and REQUESTS for IRELAND.

2, Kildare-place, Dublin,
24th day of June, 1886.

SIR,—With reference to your letter of 15th June in above charities, enclosing copy of draft scheme prepared in pursuance of the Educational Endowments (Ireland) Act, 1855, and with reference to the duties which it is proposed to throw upon this Board by clauses 23 and 24 of that scheme, I am directed to inform you that the Board are of opinion that the Local Government Board are the proper parties to prescribe the manner and form in which the accounts

of the charity should be kept, and that they are not prepared to accept this responsibility.

With regard to the provision made by this same clause for the appointment of an auditor, I am directed to refer you to my letter of this day in the case of Swords Borough School.

With regard to clauses 24 and 29 my Commissioners are prepared to accept the responsibility thereby cast upon them.

Faithfully yours,
ARNOLD F. GRAVER, Secretary.

The Secretary,
Educational Endowments Commission.

No. IV. (d.)

SWORDS BOROUGH SCHOOL.—DRAFT SCHEME No. 1.

Educational Endowments (Ireland) Commission,
23, Nassau-street, Dublin,
30th June, 1885.

SIR,—Referring to your letter of the 24th June, as to above draft scheme, I am directed, in answer to your inquiry "as to what is meant by the words 'competent authority' in clause 10, to say that the expression is quoted from the Educational Endowments Act, 1885, sec. 17, and that the intention of the scheme is to enable the Commissioners of Charitable Donations and Bequests, if they should think fit to dispense with the necessity for submitting the accounts to an auditor of the Local Government Board, to substitute any other efficient mode of audit which may appear to them to satisfy the requirements of the statute. The functions to be discharged under the draft scheme in this respect would appear to be the same as those which your Commissioners have proposed to undertake, under the draft scheme which they have submitted to the Vice-Chancellor for the management of the "Cochran-Charity," viz., "to give directions for the audit of the accounts of each year by some duly qualified person."

I am to point out that provision is made in clause 13, page 6, lines 5 to 10, for payment by your Commissioners out of the endowment of all necessary expenses including the "cost of audit."

It is not the intention of the draft scheme to impose upon the Commissioners any "share in the management of the schools," the functions which it is proposed that they shall exercise are such only as seem necessary for the due distribution of the fund vested in

them, or for giving effect to the scheme through directions to be given by the Commissioners in accordance with section 37 of the Act of 1885. Such functions would appear to fall within the scope of the powers conferred by the Acts of 1867 and 1871, passed subsequently to the minute referred to in your letter. This minute appears to deal with cases where "a decree continues the connexion between the board and the administration of charity, after it has parted with the funds," while in the present case the draft scheme proposes to vest the fund in the Board and should therefore contain all provisions necessary to secure the observance of the scheme, which, if approved by Order in Council, will have statutory validity under sections 27 and 29 of the Act of 1885.

I am directed to say that any objections or amendments which your Commissioners may forward to me will receive full consideration in this and all other cases, and that my Commissioners in framing draft schemes for securing the efficiency of educational endowments vested in the Commissioners of Charitable Donations and Bequests will endeavour to give effect to any suggestion with which your Board may be good enough to favour them for the attainment of the objects of the Act.

I am, sir, your obedient servant,
WM. EDWARD ELLIS, Secretary.

Arnold Graves, Esq., Secretary,
Commissioners of Charitable Donations and Bequests.

No. IV. (a.)

CITY OF DUBLIN CHURCH OF IRELAND TRAINING COLLEGE, SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR IN IRELAND.—DRAFT SCHEME No. 2.

Educational Endowments (Ireland) Commission,
23, Nassau-street, Dublin,
June 30th, 1885.

GENTLEMEN,—With reference to your letter of the 24th inst. as to above draft scheme, I am directed to say that it is not intended by clause 23 to enforce upon the Commissioners of Charitable Donations and Bequests the duty of prescribing the manner and form in which the accounts of the charity should be kept, unless it should appear to the Commissioners to be desirable to relieve the governors from the obligation to submit their accounts to an auditor of the Local Government Board, and upon this subject I beg to refer you to the further explanations contained in my

letter of this day's date, in the case of Swords Borough School.

Though clause 24 of the draft scheme is mentioned in your letter along with clause 23, it has no reference to audit, and merely requires the governors in accordance with the Act of 1867, to obtain the previous sanction of the Commissioners of Charitable Donations and Bequests for any sale, letting, or exchange of their lands, and therefore does not appear to impose any responsibility not already contemplated by statute.

I am, gentlemen, your obedient servant,
WM. EDWARD ELLIS, Secretary.

The Secretaries,
Commissioners of Charitable Donations and Bequests.

No. IV. (L)

CHURCH OF IRELAND TRAINING COLLEGE, SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR IN IRELAND.

COMMISSIONERS OF CHARITABLE DONATIONS AND
BEQUESTS FOR IRELAND.

2 Kildare-place, Dublin,
3rd day of July, 1885.

SIR,—With reference to your letter of the 30th ultimo, in the above charity, in reply to my letter of the 24th ultimo, permit me to correct a clerical error in my letter.

Clause 24* should not have been mentioned along with clause 23. My Commissioners are prepared to accept the duties imposed upon them by clause 24.

While on this subject I might point out that the Board are already possessed of the powers which this clause purports to give them.—(30 & 31 Vic., cap. 54.)

I am, sir, yours faithfully,
ARNOLD F. GRAVES.

W. ELLIS, Esq.

* In Scheme published 18th June, 1885.

No. IV. (g.)

SWORDS BOROUGH SCHOOL.

COMMISSIONERS OF CHARITABLE DONATIONS AND
REQUESTS FOR IRELAND.

2, Kildare-place, Dublin,
22nd day of July, 1886.

SIR,—Referring to your letter of the 30th June and clause 10 of the draft Scheme in above charity, I am directed to call the attention of your Commissioners to section 17 of "The Educational Endowments (Ireland) Act," and to point out that although that section makes provision for the payment of an auditor, it makes no provision for the payment of an auditor. This omission, taken in connection with the use of the words, "the Local Government Board or other competent authority," seems to suggest that it was the intention of the Legislature that accounts of Educational Endowments should be audited by a government auditor free of expense.

The manner in which clause 10 of the draft Scheme is framed leaves it to this Board to decide this question, a duty which my Commissioners do not think to be within their province.

With regard to the supervision of the school finances which the draft Scheme in several of its clauses proposes to throw upon the Board, my Commissioners do not think the exercise by them of such supervision to be necessary for the due distribution of the fund or for the observance of the Scheme.

The general policy of the Acts to which you refer in your letter was to make provision for the recovery, due application, and safe custody of the corpus of charity funds, without interfering unduly with the local administration of the charities. And accordingly

the practice of this Board has been to entrust local managers with the administration of charities, as well as the management and distribution of their income.

Under these circumstances my Commissioners must decline to undertake the administration of Educational Endowments, or to undertake duties involving inspections, or making surveys, valuations, or elaborate calculations, or keeping complicated accounts, or interfering from time to time with the expenditure of the trust funds by periodical allocations thereof. The amount to be paid by the Board should be ascertained from time to time by third parties on whose certificate the Board might act.

The Board at the same time decline to prescribe the manner in which charity accounts are to be kept, they decline to audit charity accounts, or to appoint auditors unless distinct provision is made for the payment of such auditors in the schemes.

With reference to the draft Scheme in the above charity now under consideration, I am to inform you that the Board has not either the time or the machinery at its disposal to undertake the duties which are proposed to be cast upon it by the first part of clause 14, clause 15, 16, 17, the latter part of clause 18, clause 25, 27, 28, and 29, and the latter part of clause 31.

Yours faithfully,

ARNOLD F. GRATEY, Secretary

The Secretary,
Educational Endowments Commission,
23, Nassau-street.

"THE COMMISSIONERS OF EDUCATION."

No. V. (a.)

Referred to in Evidence of R. M'DOWELL, p. 26, et seq.

SUMMARY RENTAL of LANDS comprised in this Endowment.

ROYAL SCHOOLS.

County in which Lands are situated.	School to which Endowment belongs.	Number of Tenants.	Area of Holdings. Statute measure.	Year Last Valuation.	Yearly Rent.	Amount of Rent (if any.)
			A. R. P.	£ s. d.	£ s. d.	£ s. d.
County Armagh.	Armagh Royal.	187	1,261 0 16	1,195 15 8	1,255 0 3	191 2 2
County Down.	Down Royal.	12	577 5 37	175 6 3	181 8 10	6 10 0
County Carrick.	Carrick Royal.	87	603 0 8	418 17 0	470 7 2	35 11 8
County Tyrone.	Downpatrick Royal.	329	2,710 0 16	—	1,740 8 11	1,610 4 4
County Fermanagh.	Enniskillen Royal.	—	4,367 5 1	5,325 0 0	5,141 13 11	696 17 10
County Donegal.	Raphoe Royal.	—	2,861 2 27 2,319 1 17 (Inhabited) 0 3 25	—	410 1 10	189 12 4

GRAMMAR SCHOOLS.

			A. R. P.	£ s. d.	£ s. d.	£ s. d.
County Tipperary.	Charlton.	12	426 0 26	468 15 0	488 17 8	886 2 4
County Wick.	Wickham.	—	1,421 2 24	720 0 0	704 15 11	401 20 8

PRIMARY SCHOOLS.

			A. R. P.	£ s. d.	£ s. d.	£ s. d.
County Wicklow.	Caryfort.	10	—	100 0 0	100 1 8	—

FUNDS belonging to this ENDOWMENT.

These are set forth in the Balance Sheet, No. V. (c.), *infra*, p. 398.

No. V. (b.)

Referred to in Evidence of R. M'DOWELL, p. 40. (See and read with No. V. (f.), *infra*, p. 405.

RETURN setting forth the Gross Rentals on the undermentioned Schools since 1881.

	1881.	1882.	1883.	1884.	1885.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Armagh.	1,433 0 0	1,680 8 0	1,510 1 1	1,263 8 0	1281 0 8
Downpatrick.	179 7 2	181 8 10	181 4 4	181 8 10	181 8 10
Carrick.	565 18 1	565 18 1	565 13 1	564 11 4	560 7 1
Downpatrick.	1,750 4 10	1,787 2 0	1,787 2 0	1,736 18 11	1,740 8 11
Enniskillen.	2,161 7 2	2,169 10 4	2,156 11 8	2,151 11 11	2,141 12 11
Raphoe.	425 10 8	428 10 0	408 0 8	428 9 5	401 1 10

No. V

Referred to in Evidence of

THE COMMISSIONERS OF EDUCATION, IN IRELAND.

De

BALANCE SHEET.

Made up to

本報記者王健

		—		Investment of £100,000, 1880		—	
		£	s. d.	£	s. d.	£	s. d.
To Government New Three per Cent. Stock—							
Armagh Royal School,	Railway Land Investment,	1,019	16 3				
Carrifert Do.,	General Investment,	835	7 2				
Cavan Do.,	General Investment,	5,935	18 3				
Dungannon Do.,	Railway Land Investment,	5,260	18 8				
Do.,	General Investment,	95	7 11				
Enniskillen Do.,		265	6 8				
		2,924	2 10			16,511	11 8
Milltown Private School,		1,107	8 10				
Navan and Ballyrann Do.,	Railway Land Investment,	5,893	19 3				
Do.,	General Investment,	5,488	7 3				
		6,402	6 5				
NEWRY Do.,		207	3 9				
Ballyrann Do.,		716	15 3				
Tullywin Do.,		9,089	5 0			17,622	13 2
Leighlin and Overy Diocesan School,		244	9 4				
Meath and Ardagh Do.,		547	1 11				
Taan, Killela and Acherry Do.,		420	4 6			1,431	15 9
						29,345	0 3
Joint Government New Three per Cent. —							
Eyrecount Private School Investment,		—		440	6 2		
Government Three per Cent. Consols—							
Athlone Private School Investment,		—		184	2 10		
J. J. Benson's Deposit in New Three per Cent. Stock,		—		—		29,350	8 10
J. C. Wynn's Deposit in Bank of Ireland Stock,		—		—		1,000	0 0
Royal Schools, Sundry Debit Balances as per Income and Expenditure Account,		—		—		500	0 0
Private Schools, Do.,	Do.,	—		2,107	7 9	497	15 1
Diocesan Schools, Do.,	Do.,	—		1,292	1 0		
		—		20	18 8		
						3,350	7 5
Seed Advances due by Tenants,		—		—		85	2 5
Land Improvement—Agricultural Buildings and Drainage Loans for Clearance,		—		—		784	15 6
Rents, &c., in hands of Agents,		—		—		1,192	2 6
Cash in Bank of Ireland, Eyrecount Account,		274	2 3				
„ General Account,		295	16 6			470	15 9
						£ 37,622	15 5

ROYAL

Dr.

RECEIPTS and EXPENDITURE for

SCHOOL.	Cash Balance to Credit at 1st December, 1894.	RECEIPTS.					Balance to Debit at 1st Dec. 1895.	Total.	Balance to Debit at 1st Dec. 1894.	ON DEBIT						
		Land Receipts.	Rig Receipts.	Other Receipts, Interest, &c.	Total Receipts.	Agriculture and Livestock.				Manufactures.	Transportation.	Miscellaneous.				
		\$	c.	d.	\$	c.	d.	\$	c.	d.	\$	c.	d.	\$	c.	d.
Armstrong Rural School, Madisonville (Tennessee),	—	1,500	16	0	—	87	7	1	1,587	23	1	—	—	—	—	—
Tennessee Rural School, Corydon	—	175	0	20	150	0	0	175	0	20	—	—	—	—	—	
Canaan	—	1,500	16	0	150	0	0	1,650	16	0	—	—	—	—	—	
Douglasville	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
King's Island (Tennessee),	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Tennessee Rural School, Naperville	—	1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
Tennesseeville (Tennessee),	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
		3,222	7	4	3,222	7	4	3,222	7	4	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,722	23	1	1,722	23	1	1,722	23	1	—	—	—	—	—	
		1,650	16	0	1,650	16	0	1,650	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500	16	0	1,500	16	0	1,500	16	0	—	—	—	—	—	
		1,446	0	0	1,446	0	0	1,446	0	0	—	—	—	—	—	
		1,500														

(a.)

R. McDONELL, p. 27, of sup.

(53rd George III., c. 107, &c.), 62, UPPER MOUNT-STREET, DUBLIN.

31st December, 1885.

CONTRA.

Gr.

LIABILITIES AND CAPITAL.

LIABILITIES.

	£	s.	d.	£	s.	d.
By J. C. Warr—Deposit as Security,	487	18	1			
J. J. Bouchon, Do.,	1,000	0	0			
Rates, &c., &c.,	300	0	0			
Improvements (of Estate) for Cleared,	14	16	4			
Drafts outstanding,	68	0	0			
The Commissioners of Public Works for Cleared,	24	11	4			
	704	16	8			
				2,676	2	2

CAPITAL DIVISIBLE AS FOLLOWS.

Royal Schools—Balance to Credit as per Income and Expenditure Account,	1,676	18	4			
Private Schools—Balance to Credit as per Income and Expenditure Account,	800	0	4			
Disson Schools—Balance to Credit as per Income and Expenditure Account,	287	6	9			
				4,976	3	5
Government New Three per Cent. Stock:—						
Investment, General Account,	95,442	1	1			
Do., Chancery, Navan and Ballymoran Schools,	900	19	0			
Bank of Ireland, Security for overdrafts,	2,000	0	0			
				98,342	0	0
Joint Government, New Three per Cent. Stock:—						
Investment, Eyrestown School,	440	0	0			
Government Three Per Cent. Consols:—						
Investment, Athlone School,	164	2	10			
				604	0	7

MEMORANDUM ACCOUNT.

NOTE.—In addition to the above named Liabilities there are the following, repayments of which is guaranteed by the Income from the respective Estates:—

Bangor Royal School—Balance of Building Loan advanced from Consolidated Fund, 4,925 18 11

Choral Private School—Balance of Building Loan advanced from the Consolidated Fund (£390), now in course of repayment, by half-yearly instalments of £19 7s. each, or £24 14s. per annum for 20 years; out of which four payments have been made amounting to £69 8s., 220 12 0

£5,145 10 11

£ 37,692 15 6

SCHOOLS.

Year ending 31st December, 1885.

Gr.

EXPENDITURE.

EXPENDITURE.				ON SCHOOL.				Low Cost.	Total Expenditure.	Balance to Credit First Decr. 1885.	Total.
Depreciation.	Travel.	Miscellaneous Disbursements.	Teacher's Salaries.	Royal Schoolships.	Regents, &c.	Rect. Taxes, and Insurance, &c.					
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
7 31 8	—	—	889 9 0	310 0 0	56 14 8	21 2 0	—	1,100 2 3	—	2,491 0 0	—
—	85 4 2	—	—	—	—	—	—	—	—	—	—
—	—	12 20 2	100 0 0	—	14 12 0	85 4 4	—	512 12 0	—	290 2 2	—
—	—	28 15 7	81 0 0	—	24 8 2	0 7 2	—	248 7 4	—	290 0 0	—
7 34 3	—	—	128 2 0	86 0 2	22 8 8	0 0 0	8 12 4	210 12 0	1,112 11 0	1,712 0 0	—
21 6 2	—	—	120 12 4	700 0 0	810 0 0	86 8 7	15 12 0	20 2 0	1,012 14 2	400 0 4	5,070 0 10
68 18 2	80 4 8	—	—	—	—	—	—	—	1,012 14 2	—	5,070 0 10
68 18 2	—	20 0 2	720 0 0	80 0 0	80 2 10	64 8 8	—	1,012 14 2	1,012 14 2	5,070 0 10	—
68 18 2	—	87 11 2	200 0 0	—	10 2 8	2 12 0	2 3 4	800 10 0	—	1,310 2 10	—
—	80 6 2	—	—	—	—	—	—	—	—	—	—
128 0 2	110 12 2	204 12 4	3,910 0 0	470 0 0	645 12 2	210 12 8	88 12 10	3,022 2 2	3,022 2 2	11,470 0 0	—

No. V.
PRIVATE

26.

RECEIPTS AND EXPENDITURE for

SCHOOL.	Cash Balance to Credit on 31st Decem- ber 1884.	RECEIPTS.					Balance on Debit on 31st Dec., 1885.	Total.	Balance to Debit on 31st Dec., 1885.	ON ESTATE OR			
		Land Rents.	Mtg Rents.	Dividends, &c.	Total Receipts.					Agents and Solicitors.	Tithes School.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Athlone Private School, . . .	—	—	—	4 13 3	4 13 3	4 13 1	—	4 13 2	—	—	—	—	—
Clonsilla, . . .	—	153 2 7	5 36 1	20 0 0	253 0 8	253 0 8	—	253 0 8	253 12 6	25 12 8	—	—	—
Enniscorthy, . . .	29 13 13	—	—	12 4 2	12 4 2	—	—	46 17 0	—	—	—	—	—
Malinbeg, . . .	21 23 7	340 2 4	—	32 4 2	250 8 8	—	—	309 0 1	—	—	—	—	—
*Kesh and Ballyvaughan (Endowment), . . .	—	276 16 8	13 4 0	103 1 0	529 16 8	—	—	728 16 8	—	60 16 1	—	—	—
Kesh, . . .	255 17 5	—	—	28 2 10	16 4 10	—	—	415 4 3	—	—	—	—	—
Ballyvaughan, . . .	209 18 0	—	—	21 18 2	21 18 2	—	—	279 8 2	—	—	—	—	—
Keshmullen (Tithes), . . .	—	—	—	—	—	—	—	—	—	—	30 18 8	—	—
Tullywin, . . .	—	—	—	212 18 7	212 18 7	201 1 4	—	453 14 7	453 25 8	—	—	—	—
Endowment (Tithes En- dowment), . . .	—	—	—	—	—	—	—	—	—	—	—	—	—
	328 8 10	350 8 8	38 18 0	408 18 8	1,404 8 7	1,259 1 8	—	2,163 8 2	250 12 8	55 7 5	30 18 8	—	—

* K.E.—The Kesh and Ballyvaughan Endowment is charged, under the Will of the Founder, with the payment to the Governors of the King's Hospital, in Manchester.

DIOCESAN

RECEIPTS AND EXPENDITURE for

—	Cash Balance to Credit, 31st December 1884.	RECEIVED.				Balance to Debit on 31st December, 1885.	Total.
		Rent.	Dividends on Government Stock.	Tithes.			
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Down and Drogheda, ...	—	—	—	—	2 9 0	2 9 0	
Managham Diocesan School-house, ...	—	5 0 0	—	5 0 0	18 9 8	23 9 8	
Leighlin and Ousey, ...	33 17 5	—	7 8 8	7 6 8	—	41 4 1	
Lisnabry Diocesan School-house, ...	—	20 0 0	—	20 0 0	—	20 0 0	
North and Ardagh, ...	120 8 9	—	16 8 3	16 8 3	—	136 17 0	
Tram, Killybeg and Acherry, ...	76 8 5	—	15 12 8	15 12 8	—	94 15 8	
	250 9 7	25 0 0	42 7 9	47 7 2	20 18 8	328 15 3	

(c.)—continued.
SCHOOLS.

Year ending 31st December, 1885.

Ga.

EXPENDITURE.													Balance to Credit, 31st Decem-ber, 1885.	Total.
ENDOWMENT.			ON SCHOOLS.							Low-Costs.	Total Expenditure.			
Free Rent, Value of Lands, Current Date.	Support-maintenance.	Miscellaneous Expenses-maintenance.	Teachers' Salaries.	Religious School Funds.	Non-Religious and Repairs.	School Regulation.	Books, Texts, and Despatches, &c.							
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
46 16 6	185 2 2	0 2 10	4 10 0	—	12 1 0	—	8 17 2	0 12 0	855 12 0	—	4 12 10	—	—	9 12 7
—	—	40 10 0	150 0 0	—	—	—	4 11 0	—	4 11 0	—	4 11 0	—	61 0 0	128 0 0
5 12 6	—	5 0 0	100 0 0	70 0 0	11 10 0	—	1 10 0	—	100 0 0	—	100 0 0	—	134 0 0	260 0 0
15 16 0	18 10 0	*187 10 10	—	—	—	—	—	10 0 0	280 0 0	—	280 0 0	—	—	—
0 0 0	—	0 0 0	167 10 10	—	27 0 0	—	20 16 0	0 10 0	207 17 0	—	207 17 0	—	1,610 0 11	—
0 20 0	—	0 20 0	167 10 10	—	10 0 0	—	41 2 10	—	300 0 0	—	300 0 0	—	301 17 0	—
0 0 0	—	80 1 11	70 0 0	10 0 0	1 0 0	17 10 0	0 12 0	—	120 10 7	—	120 10 7	—	—	—
—	—	20 10 0	70 0 0	7 0 0	127 10 0	10 10 0	0 0 0	—	270 0 0	—	270 0 0	—	—	—
180 10 1	100 16 0	270 10 1	800 0 0	87 0 0	280 10 0	51 0 0	100 10 0	10 10 0	3,000 17 10	—	3,000 17 10	—	300 0 4	3,300 0 0

(continued, of one-fourth of the Net Profit Rents of the Clappaghoughlin Estate, which forms the original Endowment. The amount paid this year is included in the account.)

SCHOOLS.

Year ending 31st December, 1885.

	Cash Balance to Credit, 31st Dec., 1884.	EXPENDITURE.			Balance to Credit, 31st Dec., 1885.	Total.
		Income Tax.	Repairs, &c.	Total Expenditure.		
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Dona and Donmore, ...	2 9 0	—	—	—	—	2 9 0
Monaghan Diocesan School-house, ...	22 0 0	—	1 2 11	1 2 11	—	23 0 0
Leighlin and Omeath, ...	—	0 4 6	0 4 1	0 8 7	60 10 6	61 4 1
Limerick Diocesan School-house, ...	11 7 9	—	1 11 9	1 11 9	7 0 0	20 0 0
Meath and Ardagh, ...	—	0 10 3	0 9 5	0 19 8	185 17 4	185 17 0
Town, Kilsale, and Acherry, ...	—	0 11 6	0 10 7	1 2 3	63 13 5	64 15 0
	36 3 6	1 8 5	3 10 9	5 5 2	297 6 9	336 15 0

No. V. (d.)

Referred to in Evidence of B. McDOWELL, pp. 30, et. seq.

RETURNS as to the Schools comprised in the Royal School Charter, setting out the number of Boarders and Day Pupils at each school; also of the number of Pupils of different Religious Denominations, and of the Fees charged at the various schools, with the number of Free Scholars.

This table, so far as these scholars are concerned, covers Nos. 3 and 4 of the Returns asked for. I cannot give any account of the number of pupils that in each case come from the neighbourhood of the schools, nor of how many are taken at reduced fees, but in many cases the masters have returned that some boys are being educated at reduced fees.

	Boarders.	Day Pupils.	Free Scholars.	Total.	Irish Church.	Roman Catholics.	Presbyterians.	All others.	Fees for Boarders.	Fees for Day Pupils.
ROYAL SCHOOLS.										
Armagh,	48	61	10	119	74	1	10	2	£63	£18 10s.
Belfast,	1	54	1	56	1	10	1	1	£85	£8 to £5
Cavan,	0	10	1	11	10	1	1	1	£10 to £10	£1 to £15
Downpatrick,	1	50	0	51	50	1	1	1	£65	£15 10s.
Dungannon,	3	55	0	58	55	1	1	1	£65	£10 10s.
Drogheda,	4	10	0	14	4	10	1	1	£10 to £10	£1 to £5
DIOCESAN SCHOOLS.										
Monaghan,	10	10	1	21	20	1	1	1	£12 to £45	£4 to £15.
Limerick,	25	25	27	77	64	1	1	1	£5	£1.

Where two sets of figures are given they are the maximum and minimum limits of fees.
Two shillings and sixpence per quarter is the day pupils' fee at Limerick.

RETURNS (similar to the Return preceding) as to the Schools comprised in the Schemes for Grammar Schools of Private Foundation and the Primary Schools.

In the case of the evening classes at Tollymore and Berhawn, I understand from the trustee of said schools, who makes the return, that only two scholars are attending both day and evening classes.

	Boarders.	Day Pupils.	Free Scholars.	Total.	Irish Church.	Roman Catholics.	Presbyterians.	All others.	Fees for Boarders.	Fees for Day Pupils.
PRIVATE GRAMMAR SCHOOLS.										
Wickham,	15	0	7	22	21	1	1	1	£20	£15
Cornwall,	12	10	7	29	27	1	1	1	£10 to £15	£5 to £15
Harrold,	1	15	4	20	15	1	1	1	£1	£4 to £5
Belgrave,	1	1	1	3	1	1	1	1	£1	£1
PRIVATE PRIMARY SCHOOLS.										
Crofton,	1	22	22	45	1	1	1	1	£1	£1
Tollymore,	1	22	27	50	47	3	1	1	£24	£1
Berhawn,	1	(15) (10)	A.S.	1	1	1	1	1	£1	£1
Tollymore Evening Class,	1	20	1	22	14	1	1	1	£1	£1
Berhawn Evening Class,	1	11	1	13	1	1	1	1	£1	£1

* The Master's Return gives "4 Scholars."

No. V. (a.)

Referred to in Evidence of R. McDowell, et al., p. 26, at seq.

APPENDIX B.

SCHEME for ALTERING the CONSTITUTION and extending the POWERS of the COMMISSIONERS of EDUCATION in IRELAND, and for the RE-ORGANIZATION of the ROYAL SCHOOLS of IRELAND, and for other EDUCATIONAL PURPOSES.—Pursuant to the Educational Endowments (Ireland) Act, 1835.

Whereas by the Act of Parliament, 5 Geo. III. c. 107, as amended by the Act of Parliament, 3 Geo. IV. c. 73, the Commissioners of Education in Ireland were established as a Corporation consisting of certain members and entrusted with certain powers and duties as in said Acts set forth to be the Governing Body of (amongst other schools) the Royal Schools of Ireland:

And whereas it is expedient to amend the constitution, powers, and duties of the said Corporation: and to re-organize the said Royal Schools, and to enable the said Commissioners to apply to education certain lands representing former Diocesan Endowments, and to make other provisions:

From and after the approval of this scheme by the Lord Lieutenant in Council, the following provisions shall take effect:—

1. This scheme may be termed the Royal School Charter.

I.—CONSTITUTION AND GENERAL POWERS OF THE BOARD.

2. The Commissioners of Education in Ireland (hereinafter called the Commissioners) shall continue to be a Corporation, bearing perpetual succession and a common seal, and shall consist of such persons as now are Commissioners (so long as any of them now removable by the Lord Lieutenant shall not be so removed), and of not more than eight persons to be from time to time appointed by the Lord Lieutenant, and removable at his pleasure; in the selection of persons to be so appointed regard shall be had to the religious denominations of the classes from which pupils may reasonably be expected to attend the schools placed under the government of the Commissioners. No person shall hereafter become one of the Commissioners by virtue of any office whatsoever.

3. It shall and may be lawful for the said Commissioners and their executors, from time to time to appoint a Secretary to the said Commissioners, with a salary not exceeding the sum of £700; and also such other subordinate officer or officers as they shall think proper, for the carrying into execution the purposes of this Charter, and to certify to the Lord Lieutenant such sum or sums of money as they shall deem adequate to defray the expense of said officers and the incidental expenses of the Board; whereas such sum or sums of money aforesaid shall (subject to the approval of the Lord Lieutenant) be paid out of moneys to be provided by Parliament.

The said Secretary and other officers shall hold their offices during good behaviour and subject to removal by the Commissioners for misconduct or inefficiency. The Secretary and officers shall be deemed to be Civil Servants, and no person shall hereafter be appointed Secretary or officer until he shall have obtained the proper Civil Service Certificate.

4. The Commissioners shall and may see and be seen in the name of their Secretary; and it shall and may be lawful for the said Commissioners and their executors to receive, take, hold, and enjoy any lands, tenements or hereditaments whatsoever, for the purposes of education; the statutes of Mortmain, or any other statute, Act, or provision, whatsoever, in anywise to the contrary notwithstanding.

5. General and Special Meetings of the Commissioners shall take place in accordance with a by-law to be framed by them. It shall be lawful for any three of the said Commissioners assembled in pursuance of a general notice for a Meeting, to do and perform anything required to be done by the said Commissioners, as fully and effectually as all the

said Commissioners might do if personally present. So soon as a quorum of Commissioners shall be so assembled, they shall elect a Chairman.

6. The Secretary of the said Commissioners shall keep a book or journal of the proceedings of the said Commissioners at their several meetings, and shall enter therein the names of such of the said Commissioners as shall be present at such meeting, and all the proceedings of every such meeting, and all reports from time to time made to the said Commissioners; and the said Commissioners shall once in every year, make a general report of all their proceedings under this Act for the year preceding, to the Lord Lieutenant under the Hands and Seals of the said Commissioners or any three of them, to be laid before both Houses of Parliament; and the said Secretary shall at any time or times when he shall be thereto required or directed by the Lord Lieutenant, or his Chief Secretary, or by the said Commissioners, deliver to the Lord Lieutenant, or his Chief Secretary, a true copy of the whole, or of so much and such parts of the said proceedings of the said Commissioners, as shall be from time to time required.

7. The Commissioners, or any two of them, acting by virtue of a resolution of the Commissioners, shall have full power and authority from time to time, when they shall think proper so to do, to visit any school under their government, either in person or by a deputy or deputies to be appointed as hereinafter directed; and there to hold visitations of school, and at such visitations to administer oaths and to do all other acts appertaining to the office of visitors respectively relating to such schools; and for that purpose it shall and may be lawful for such Commissioners or deputies to require to such school, or to any other place or places which they shall deem necessary or convenient, and there to examine, call for, and examine, on oath or affirmation, or otherwise, all and every person and persons, and to call for all documents whatever, and to examine and inquire into all matters whatsoever which the said visitors shall deem requisite and necessary.

If any person so summoned as aforesaid, or having the custody of any documents so called for, seek to avoid or refuse to be examined or to produce such documents, such person being duly convicted thereof before any one Magistrate shall for such offence be fined such sum, not exceeding £20, as such Magistrate may think proper. And if any person upon being so examined on oath or affirmation wilfully swear falsely, such person being thereof duly convicted according to law shall suffer the penalties of perjury.

If at any time it shall seem requisite to the Commissioners, it shall and may be lawful for them, by any writing under their hands and seals, to appoint one or more person or persons in their stead to visit any such school, and out of any sums of money from time to time in their hands to pay such person or persons adequate remuneration for their services; and any person or persons so appointed in any instance as aforesaid, shall have and enjoy the same rights and powers in every such instance respectively as the Commissioners themselves or any of them might or would have had if they had visited such school in person; and the person or persons so appointed as aforesaid shall at every such visitation cause their proceedings to be entered in a book to be kept for that purpose by the master of such school, and shall forthwith, after their return from such visitation, lay a copy of the same before the Commissioners, and shall report to the Commissioners such other matters relating to the state and condition of such school as they shall think necessary to be reported; whereupon it shall and may be lawful for the said Commissioners to make such orders and adopt such measures as they shall judge proper or necessary with regard to such school; provided that in case of such misconduct or inefficiency of the master, under-master, or other of such school, being reported to the Commissioners, as they shall be of opinion ought to subject him to depri-

APPENDIX B.

vation, they shall not proceed to such deprivation until they have cited the said master, under master, or tutor to appear before them, and inquired into each alleged misconduct, or inefficiency, and examined such witnesses as shall be produced by the master, under master, or tutor; also all other witnesses whom they shall deem proper to examine.

8. It shall be lawful for the Lord Lieutenant to appoint an Inspector of all the schools placed under the government of the Commissioners at such salary as to the Lord Lieutenant shall seem fit; and said salary shall be defrayed by the Commissioners out of moneys to be provided by Parliament.

It shall be the duty of the said Inspector to inquire into and ascertain the nature of the discipline continued in each school, and of the punishments found necessary; the nature of the general organization of the school classes, and methods of instruction; to make inquiries into the attendance of day pupils, and into the punctuality observed in the school generally; to inspect the state of the school-rooms, and to take account of the school furniture and apparatus therein; to inspect the dormitories and all other rooms, the play-grounds and all grounds, yards, and other places connected with the school, both those to which the pupils have access, and those from which they are excluded; to ascertain and inspect the sanitary arrangements of the school; and to make all such other inspections and inquiries as he may from time to time be directed by the Commissioners to make. The Inspector shall forthwith after each inspection make a detailed report thereof to the Commissioners, and the Inspector's reports shall be incorporated by the Commissioners into their Annual Report to be made to the Lord Lieutenant.

Each school shall be inspected at specified intervals, once in each half year; and the dates at which the inspection of each school shall take place shall be notified by the Commissioners to the Inspector a reasonable time in advance of such date, but no notification shall be given to the Head Master of an intended inspection.

The Commissioners may so often as shall be deemed advisable direct their Secretary to accompany and assist the Inspector in the inspection of any school. And the Commissioners may at any time direct their Secretary to visit any school for any purpose they think proper.

9. In lodgments of money to current account in bank it shall be lawful for the Commissioners to lodge to their credit moneys from any endowments under their control without securing the same as being lodged on behalf of the endowment from which it is derived.

10. The accounts of the said Commissioners shall be audited and certified annually, as soon as conveniently may be after the close of each year, by an Auditor of the Local Government Board. For the purpose of such audit the Commissioners shall direct their Secretary to make out a statement of assets and accounts in such form as to them may seem most advisable, and shall direct the Secretary to transmit such statement of the accounts and all proper documents and vouchers for receipts and payments to the said Auditor, who shall thereupon examine, audit, and certify the said account, and return the same with all documents and vouchers to the said Secretary. The Commissioners shall incorporate a copy of such audited and certified account into the Annual Report to be by them made to the Lord Lieutenant.

II.—ROYAL SCHOOLS.

11. All lands, tenements, hereditaments, and premises at present vested in the Commissioners, by whatsoever title and for whatsoever estate or interest, for the use of any of the schools known as the Royal Schools of Armagh, Danganmon, Enniskillen, Raphoe, Carrig, and Banagher (hereinafter called the Royal School lands), shall be and continue vested absolutely in the Commissioners for the purposes of this Charter, and for no other use or trust whatever.

And all securities, sums of stock, sums of money, and property of every description of which the Commissioners are at present possessed on behalf of any of the said schools shall continue vested in the said Commissioners for the purposes of this Charter.

And all securities, sums of stock, sums of money of which the Commissioners are at present possessed as representing former Diocesan Endowments of, first, the Leighlin and Querry Diocesan School, secondly, the Meath and Ardagh Diocesan School, and thirdly, the Tuam, Kildare, and Achery Diocesan School, shall continue vested in the Commissioners for the purposes of this Charter.

And the said Royal School lands and the said securities, sums of stock, sums of money, and property of every de-

scription are hereby amalgamated into one endowment vested in the said Commissioners and hereinafter termed the Royal School Endowment.

12. It shall be lawful for the Commissioners from time to time to sell or mortgage all or any part of the said Royal School lands, or any other portion of the Royal School Endowment, for such sum or sums as they may think fit, and so to execute all necessary conveyances and transfers in respect of such sales or mortgages. And such sales shall be made it shall be lawful for the Commissioners to make leases of any parts of the said Royal School lands at the best reasonable rents for the following terms, that is to say, for agricultural or occupation leases 25 years, for leases of rights or easements 40 years, for repairing leases 30 years, and for building leases 99 years.

13. It shall be lawful for the Commissioners to invest, or to charge the investments of and re-invest, any sums of money which may from time to time be in their hands, representing portions of the Royal School Endowment, in any securities in which it is, or may at any time be, lawful for trustees to invest trust funds; and the said investments and re-investments shall continue to be part of the Royal School Endowment.

14. The Royal Schools established at Raphoe, Carrig, Enniskillen, and Banagher, shall be forthwith discontinued.

15. Out of the said Royal School Endowment the said Commissioners shall provide, whether by way of annuity or sum in gross, due compensation for the vested interests of any of the present Masters of Royal Schools whose services may no longer be found requisite; the amount of such compensation may be settled by agreement between such Masters and the Commissioners, or in the case of disagreement the question of amount shall be determined by the Judicial Commissioners appointed by the Educational Endowments (Ireland) Act, 1883.

16. With respect to districts in which existing Royal Schools are discontinued, it shall be lawful for the Commissioners, upon a proper case being shown, whether by memorial of the inhabitants or otherwise, out of the said Royal School Endowment to subsidize a school or schools in any of said districts established, the aggregate sum of all such subsidies in no event to exceed in the whole £100 per annum; in any case where a subsidy is granted the Commissioners may assign the whole amount allowed to the Head Master, or may allocate such portion as they think fit to an Under Master. The Commissioners may from time to time vary the amount of, or wholly discontinue a subsidy. The Master of an school shall be granted a subsidy, except upon the terms of his submitting his school to the visit of the Inspectors appointed for the purposes of this Charter.

17. The residue of the said Royal School Endowment shall be applied by the Commissioners in establishing, endowing, and maintaining four denominational schools suitable for boarders and day boys. The said schools shall be situated at Armagh, Danganmon, and two other places, one in the Province of Monaghan, and one in the Province of Limerick, to be hereafter designated upon the Commissioners. The school at Armagh shall be presided over by a Head Master professing the faith of the Church of Ireland, the school at Danganmon by a Head Master professing the faith of the Presbyterian Church of Ireland, and the two schools in the Provinces of Monaghan and of Limerick by Head Masters professing the Roman Catholic faith.

18. In endowing and maintaining the said schools it shall be the duty of the Commissioners to make provision for the reasonable repairs of the school premises, and it shall be lawful for the Commissioners from time to time to determine the amounts of the salaries to be paid to the Head Masters and to any Under Masters, and to provide for all or any of the following purposes, viz.—purchase of school furniture, and other apparatus; prizes; exhibitions obtainable by pupils, either during school career or subsequently thereto, and payable on any terms which may be deemed proper; extension or modification of school premises; or for any other purpose whatsoever which in the opinion of the Commissioners may be deemed advisable.

19. It shall be lawful for the Commissioners to appoint the Head Masters of the said four schools, and the Head Master of each school shall appoint, with the approval of the Commissioners, such Under Masters of the school over which he presides as may be found necessary. Any Head Master or Under Master shall be removable by the Com-

ministers, if they shall be of opinion, after such a visitation as hereinafter provided, that he has by misconduct or inefficiency subjected himself to deprivation of his office.

20. The Head Master of each of the Royal Schools shall cease to hold office on attaining the age of seventy years, unless, in the opinion of the Commissioners, it is for the advantage of the school to continue his services to a further period; in which case such Head Master shall cease to hold office at such time as by the Commissioners may be there-after fixed.

Out of the Royal School Endowment it shall be the duty of the Commissioners annually to invest a sum of £200 to the credit of a fund to be called the Royal School Pension Fund, and out of the said Pension Fund each Head Master, on vacating his office as aforesaid, shall be entitled to receive a sum of £50 for every year he has held his office. If any Head Master shall cease to hold office before attaining the age of seventy years, it shall be lawful for the Commissioners, at their discretion, to grant such Head Master a retiring allowance, amounting to £50, for every year he shall have held his office, or any lesser sum.

The Commissioners shall forthwith invest, to the credit of said Pension Fund, a sum of £50 for every year the present Head Master of Armagh School has held his office. And in the event of the said present Head Master of Armagh School becoming entitled to a retiring allowance under the provisions of this section he shall also become entitled to a life annuity of £150, payable from the date of his retirement, out of the general funds of the Royal School Endowment.

The several interest of the said Pension Fund shall be paid into the general funds of the Royal School Endowment; and if at any time the said Pension Fund is, in the opinion of the Commissioners, in excess of the requirements for such retiring allowances, it shall be lawful for the Commissioners to transfer such excess sum from the said Pension Fund to the general funds of the Royal School Endowment.

21. It shall be lawful for the Commissioners from time to time to fix, and vary, the fees to be charged at the said Royal Schools; to make such regulations to be observed in the said Schools as they may deem proper; to assign to the personal performance of each Head Master any duties they may consider should be so performed; to call for any returns from each Head Master, including a return of the work done, and time devoted to school duties by each Head Master; to determine from time to time the vacations to be allowed, and the course of education to be taught at the said Schools; and to allow additional fees to be charged for special subjects of instruction, in which last case the amount of such additional fees shall be prescribed by the Commissioners. All fees charged at any school under the provisions herein shall belong to the Head Master.

22. Subject to any rules to be prescribed by the Commissioners under the authority of this Charter, the Head Master of each school shall have under his control the choice of books, the methods of instruction, the arrangement of classes and school hours, and the general organization and discipline of the school. The Head Master shall have the power to dismiss any pupil from his school. In such case he shall forthwith communicate both to the Commissioners and to the parent or guardian of the pupil the fact of such dismissal and the reasons for it; and there-upon any application may be made on behalf of the pupil to the Commissioners, who shall have the power, if they are of opinion that a proper case has been shown, to reinstate said pupil in the school.

23. At each of the said Royal Schools there shall be a certain number of free places, to be determined by the said Commissioners from time to time, separately for each school, according to its circumstances. It shall not be compulsory upon the Head Master to afford instruction to free scholars in subjects for which additional fees are allowed, as in section 21 mentioned. Where it is necessary to make a selection among applicants for free places, such selection shall be made by examination, if it shall seem to the Commissioners that selection by examination would meet the justice of the case; but if on any occasion selection by examination would not, in their opinion, meet the justice

of the case, it shall be lawful for the Commissioners to make such selection in any other manner. The Commissioners may require the Head Master of the school to hold such examination in such manner as they may prescribe, and to make a return to them of the result thereof.

III.—MISCELLANEOUS.

24. The lands, tenements, and hereditaments, situated at Monaghan and Limerick, and formerly known as the Monaghan Decemans School and the Limerick Decemans School respectively, shall be and continue vested in the Commissioners for the purposes of this Charter, and to no other use or trust whatever;—and with respect to the said school-houses it shall be lawful for the Commissioners to let the same from year to year at any rents to such persons as they may think proper, to the end that the same may continue to be used for educational purposes; provided always (i) that the contracts of letting be in writing containing a clause binding the lessee to keep such schools in proper repair, and (ii) that the schools to be so let as in said school-houses shall be subject to the inspection of the Inspector to be appointed pursuant to this Charter.

If at any time the Commissioners may consider it no longer advisable to continue such lettings, they shall be at liberty, upon giving due notice, to determine the same; and thereupon it shall be lawful for the Commissioners to sell such houses, or houses, and to transfer the proceeds of such sale to the funds of the Royal School Endowment.

25. The Commissioners may receive any additional endowments for the general purposes of this scheme, or for any special objects connected with such general purposes, not inconsistent with or calculated to impede the working thereof.

26. Any other Endowed Schools may, with the consent of the Commissioners from time to time, be placed under the control of, and their endowments vested in, the Commissioners, either by the Commissioners of Educational Endowments (Ireland), or (in the case of schools for which schemes shall not have been framed and approved under the Educational Endowments (Ireland) Act, 1885) by the Governing Bodies of such schools, or other proper authority.

27. The Commissioners may at any time make application to the Commissioners of Charitable Donations and Bequests to sanction any amendments or alterations of the provisions of this Charter. When it is intended to make such application the Commissioners shall at least one month previous to such application cause a draft of the said amendments or alterations to be published in such manner as the Commissioners of Charitable Donations and Bequests may from time to time direct for the purpose of giving information to all persons interested, and until such application has been made, the Commissioners shall receive any objections in writing made by any persons interested, respecting such intended amendments or alterations, and the said objections in writing shall be forwarded by the Commissioners along with their application to the said Commissioners of Charitable Donations and Bequests.

If upon consideration of the proposed amendments and alterations, and of any objections in writing therein, the Commissioners of Charitable Donations and Bequests shall approve of such amendments or alterations, or any of them, they shall signify such approval in writing under their Corporate seal, and thereupon such approved amendments or alterations shall be incorporated into and read as part of this Charter.

28. The Commissioners shall cause this scheme to be printed and copies given to all Head Masters and Under Masters in their employment; and any person applying for the same shall be entitled to obtain a copy, paying therefor, if the Commissioners so direct, a reasonable price.

29. From and after the approval of this scheme by the Lord Lieutenant in Council, the endowments comprised therein shall be administered accordingly in accordance with the provisions of this Charter.

RECEIPTS.			EXPENSE OF MANAGEMENT.					
—	Rents.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Law Costs.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1881, . . .	1,680 0 0	64 0 0	1,744 0 0	20 3 11	142 8 0	50 0 0	968 10 0	632 7 4
1882, . . .	1,645 17 8	65 0 0	1,710 17 8	14 14 0	108 0 0	60 0 0	78 10 1	300 24 11
1883, . . .	1,508 10 8	27 4 1	1,535 14 9	81 4 0	116 2 4	4 37 11	50 10 8	236 8 4
1884, . . .	1,577 10 8	36 10 1	1,613 10 9	85 7 8	120 10 8	17 0 0	956 11 8	677 10 1
1885, . . .	1,360 10 8	17 7 1	1,377 7 9	60 11 0	101 4 9	7 11 0	65 10 8	214 27 0
Total for five years.	6,892 10 0	206 16 7	7,097 16 7	436 4 1	602 10 1	116 17 11	600 10 8	1,380 7 1

BANAGHER

RECEIPTS.				EXPENSE OF MANAGEMENT.					
—	Rents.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Law Costs.	Total.	
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1881, . . .	30 10 0	—	30 10 0	0 0 0	4 17 9	—	20 10 11	45 24 1	
1882, . . .	27 1 0	270 0 10	297 1 10	—	—	—	10 10 8	50 10 8	
1883, . . .	268 16 7	10 0 0	278 16 7	10 0 8	8 10 11	—	110 2 1	187 10 8	
1884, . . .	218 5 8	10 0 0	228 5 8	10 0 1	11 9 4	—	14 10 8	40 10 4	
1885, . . .	180 4 8	50 0 0	230 4 8	11 1 6	11 0 3	—	12 10 8	24 10 1	
Total for five years.	710 10 3	266 0 10	976 10 1	31 0 0	35 10 8	—	262 10 8	291 10 7	

CAVAN

RECEIPTS.			EXPENSE OF MANAGEMENT.					
—	Rents.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Law Costs.	Total.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1881, . . .	351 16 1	184 0 0	535 16 1	28 0 0	67 14 4	0 0 0	24 10 8	147 10 8
1882, . . .	407 0 1	180 0 7	587 0 8	37 4 0	63 17 7	0 0 0	51 10 8	120 8 8
1883, . . .	612 11 11	100 0 0	712 11 11	28 0 0	87 7 0	120 10 0	24 10 8	239 8 8
1884, . . .	561 2 11	120 0 0	681 2 11	20 0 1	45 11 0	20 10 0	20 0 0	156 10 8
1885, . . .	588 7 8	120 0 0	708 7 8	20 10 8	40 0 0	7 14 8	27 10 8	100 10 8
Total for five years.	2,500 7 7	500 10 1	3,006 1 8	105 10 8	256 10 1	180 10 0	261 7 4	626 10 0

OF EDUCATION.

ARMSCHURCH.

(F)

R. McDowell, pp. 40, of seq.

Arragh, Banagher, Cavan, Dungannon, Enniskillen, Raphoe.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint Total of Columns X and Y.	Debt (which on 31st Dec., 1895, was £680 11s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous.	Township School.	Total Y.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
100 0 0	808 13 4	100 0 0	85 8 0	81 37 0	1,800 35 11	1,700 0 0	700 10 0	1891.
800 0 0	440 18 4	200 12 8	87 17 8	70 6 0	1,300 0 0	1,300 0 0	1,100 15 4	1892.
100 0 0	306 0 0	140 2 8	100 2 0	70 6 0	1,120 10 1	1,200 10 0	1,100 0 0	1893.
800 0 0	277 0 0	187 4 8	65 16 8	80 2 0	1,000 2 10	1,000 2 4	1,110 27 6	1894.
800 0 0	140 0 0	90 16 8	61 8 8	80 6 8	1,000 0 0	1,200 2 8	1,300 16 8	1895.
3,700 0 0	1,850 0 0	600 12 8	400 7 12	400 56 0	6,350 0 0	7,000 0 0	—	Total for five years.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint Total of Columns X and Y.	Debt (which on 31st Dec., 1895, was £20 11s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous, Fuel, Taxes, Insurance.	Township School.	Total Y.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
100 0 0	10 0 0	10 1 0	80 0 0	—	210 0 0	210 10 1	20 0 10	1890.
100 0 0	20 0 0	10 8 8	80 0 0	—	210 0 0	210 10 0	100 27 8	1891.
100 0 0	—	0 0 0	80 0 0	—	180 0 0	180 10 0	70 10 0	1892.
200 0 0	—	0 10 0	80 0 0	—	280 0 0	280 0 1	60 10 11	1893.
200 0 0	—	10 10 0	80 0 0	—	290 0 0	290 11 0	120 0 11	1894.
800 0 0	10 0 0	10 10 8	80 17 1	—	810 10 0	1,100 0 0	—	Total for five years.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint Total of Columns X and Y.	Balance to Credit (which on 31st Dec., 1895, was £100 11s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous.	Township School.	Total Y.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
100 0 0	50 10 0	60 17 8	60 10 0	—	420 0 0	420 17 8	100 10 0	1891.
400 10 0	10 0 0	71 10 0	20 0 0	—	420 10 0	540 0 0	700 0 0	1892.
100 0 0	40 0 0	60 10 0	0 1 0	—	420 10 0	700 0 0	640 10 0	1893.
200 0 0	10 0 0	81 4 0	0 0 0	—	420 4 0	700 0 0	1,000 10 0	1894.
200 0 0	10 0 0	60 10 0	0 0 0	—	420 0 0	700 10 0	1,100 11 0	1895.
1,000 10 0	110 10 0	1,000 10 0	80 10 0	—	2,190 0 0	2,000 0 0	—	Total for five years.

RETURNS OF RECEIPTS AND EXPENDITURE

DUNGANNON

	RECEIPTS.			EXPENSE OF MANAGEMENT.				
	Rent.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Low Costs.	Total Ex.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1891.	1,806 9 6	59 6 5	1,866 12 2	58 10 7	153 4 3	6 7 8	212 16 8	527 6 1
1892.	1,841 17 4	664 9 8	2,506 7 0	118 10 11	87 12 7	7 10 7	72 4 11	297 35 0
1893.	2,236 10 8	7 10 0	2,243 10 8	95 18 6	185 11 0	5 0 0	158 2 10	386 7 1
1894.	1,941 4 1	7 12 0	1,948 0 10	135 15 0	350 4 0	18 10 0	145 1 1	649 19 10
1895.	1,393 17 10	7 12 0	1,400 10 0	214 0 0	314 11 0	10 5 0	185 1 4	527 8 0
Total for five years.	7,218 7 9	547 35 0	7,765 7 0	524 10 7	783 7 4	45 0 5	588 4 7	1,950 7 11

ENNISKILLEN

	RECEIPTS.			EXPENSE OF MANAGEMENT.				
	Rent.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Low Costs.	Total Ex.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1891.	5,031 1 5	410 18 8	5,441 10 10	118 1 4	98 27 4	134 15 0	594 15 8	697 7 5
1892.	3,977 0 8	87 14 12	4,064 18 1	205 9 8	100 0 8	27 12 0	647 6 8	595 7 10
1893.	3,127 8 4	87 18 4	3,214 10 8	321 10 10	145 16 8	27 8 8	54 3 7	530 1 1
1894.	5,930 11 0	87 14 4	5,917 8 0	191 11 0	183 10 7	25 7 7	554 10 8	573 14 0
1895.	3,973 0 7	95 14 4	4,068 17 11	158 10 0	187 0 8	48 10 1	93 0 0	494 8 8
Total for five years.	20,211 0 0	664 14 8	20,875 17 0	597 13 0	524 18 8	202 4 0	699 19 4	1,615 2 4

* In the case of Enniskillen School, there was included a sum of £1,480 12. 6d., which in 1892 was paid to Dr. Clarke as compensation for arrears of fees amounting to £200.

RAPHOE

	RECEIPTS.			EXPENSE OF MANAGEMENT.				
	Rent.	Other Receipts.	Total Receipts.	Agency.	Tiths, Poor Rate, Income Tax.	Improvements.	Miscellaneous and Low Costs.	Total Ex.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1891.	376 10 8	—	376 10 8	24 1 0	74 14 0	2 0 0	58 0 7	158 15 8
1892.	34 8 10	—	34 8 10	52 17 1	4 10 0	—	21 0 0	63 17 0
1893.	1,091 9 8	—	1,091 9 8	40 10 0	38 18 0	2 0 0	129 1 0	104 1 0
1894.	660 14 0	—	660 14 0	58 17 0	145 1 4	27 4 0	27 15 1	268 1 0
1895.	410 0 0	—	410 0 0	80 10 0	21 0 0	48 18 0	20 12 4	169 10 0
Total for five years.	2,574 18 16	—	2,574 18 16	214 10 0	286 17 7	156 0 0	237 17 2	1,068 7 7

(f)—continued.

FOR ROYAL SCHOOLS—continued.

APPENDIX B.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint total of Columns X and Y.	Balance to credit.	Debit (which on 31st Dec. 1905, was £10 2s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous.	Treasury School.	Total.				
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
702 0 0	400 12 4	181 0 10	65 12 4	27 7 7	1,419 0 1	1,707 5 8	—	481 14 3	1901.
103 0 0	408 0 0	50 1 10	12 28 0	50 0 0	1,497 19 4	1,495 0 4	—	500 18 7	1902.
910 0 0	410 0 0	65 8 4	18 15 0	29 16 0	1,515 25 20	1,437 8 11	404 8 0	—	1903.
100 0 0	205 0 0	135 17 5	12 15 0	85 54 8	1,381 8 8	1,419 18 3	872 5 10	—	1904.
150 0 0	350 0 0	64 0 7	19 15 0	18 4 0	1,519 0 1	1,599 14 8	480 8 4	—	1905.
1,405 0 0	1,468 12 4	493 7 0	20 18 4	162 18 4	6,012 5 0	5,035 11 0	—	—	Total for five years.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint Total of Columns X and Y.	Balance to Credit (which on 31st Dec. 1905, was £205 17s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous.	Treasury School.	Total.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
1,505 0 0	207 12 4	184 1 10	748 18 10	—	1,997 19 0	3,128 3 8	618 11 10	1901.
1,605 0 0	201 8 8	167 11 0	28 3 8	—	1,814 0 3	3,049 3 0	767 16 11	1902.
1,110 0 0	148 0 0	300 28 8	85 2 8	—	1,528 19 5	1,819 3 11	1,439 17 0	1903.
375 0 0	59 0 0	130 17 0	44 2 8	—	1,189 19 0	1,864 18 0	2,065 0 8	1904.
510 0 0	88 0 0	60 0 10	64 2 0	—	620 0 4	1,519 11 0	1,509 18 10	1905.
4,110 0 0	496 0 8	684 5 8	924 3 10	—	6,817 18 2	6,518 18 7	—	Total for five years.

Improvements. In the Tables of the Annual Report it appears both in Receipts (derived from a sale of study) and in Expenditure. It is for the purposes of these Tables.

ROYAL SCHOOL.

EXPENDITURE ON EDUCATION.						Joint Total of Columns X and Y.	Debit (which on 31st Dec. 1905, was £179 10s. 6d.)	—
Salaries.	Exhibitions.	Repairs.	Miscellaneous.	Treasury School.	Total.			
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	
100 0 0	83 0 0	120 11 0	6 17 0	64 2 8	405 0 8	820 15 8	526 7 10	1901.
100 0 0	59 0 0	30 0 2	7 15 8	25 4 0	222 0 5	378 0 13	1,095 0 0	1902.
300 0 0	—	11 10 8	0 15 0	60 4 0	368 19 8	404 11 2	219 14 8	1903.
300 0 0	—	47 15 7	8 18 0	64 8 0	320 12 7	718 14 6	643 12 18	1904.
300 0 0	—	60 0 2	8 18 0	90 4 0	558 0 0	858 15 0	518 8 8	1905.
1,000 0 0	60 0 0	216 10 0	25 18 0	385 0 0	1,690 18 0	3,087 8 7	—	Total for five years.

No. V. (g.)

A REVIEW of the EXPENSE of the PRESENT STAFF of the COMMISSION, with an ESTIMATE of the STAFF necessary under the DRAFT SCHEME.

The present staff consists of the Secretary and one clerk. The staff under the Draft Scheme would consist of Secretary, clerk, and Inspector.

The expenses are at present as follows:—The Secretary receives £450 per annum, as salary, and £70 per annum, as allowances for office and board room. These sums are provided annually by Parliament.

The clerk receives £310 per annum. Of this sum £102 per annum is provided by Parliament, and £210 is paid out of the endowments. On the subject of this salary I refer to the remarks made in the memorandum attached to the Royal School charter under "section 3."

Other expenses are:—

Postage, for which £5 is provided by Parliament.

Travelling, " 15 " "

Law costs, " 15 " "

Copyist " 15 " "

Total expenses £670, Government grant, and £170 paid out of the endowments.

Inasmuch as, under the new Act, the salary of the Inspector is to be fixed by the Lord Lieutenant, my Commissioners have not considered the amount of salary which should properly be awarded to that officer. His salary and that portion of the clerk's salary at present paid out of the endowments (and already referred to as noted in section 3, memorandum), will be the chief extra items of expense which my Commissioners seek to have provided by Parliament. There are, however, two other items of incidental expenses which should hereafter be, either specifically or under some general head, so provided, viz.:—an item for visitation expenses, and an item for the expenses of the secretary contemplated by section 8 (last paragraph) of the scheme.

I may remark that the allowance for copyist services is seldom used, and that lately the greater portion of travelling allowance has been also saved. All such balances are surrendered of course to the Treasury in due course.

No. V. (h.)

REVIEW of the Number of Meetings 1881–1885 inclusive, and of the number of times each member attended in each year. Where a space is left blank the member to whose name said space is assigned was not a member of the Board at the date indicated by the space. Where it seems necessary the date of appointment of the member is set after his name.

	ATTENDANCE.				
	1881.	1882.	1883.	1884.	1885.
Number of meetings held,	15	17	9	9	18
Lord Chancellor (Sullivan) (a 1884),	—	—	—	1	—
Lord Chief Justice May,	5	3	3	3	6
Archbishop of Armagh,	2	2	1	—	—
Archbishop of Dublin,	9	2	2	—	—
Provost of Trinity College,	12	12	5	9	12
Chief Secretary for Ireland,	—	—	—	—	—
Bishop of Limerick,	5	2	1	1	2
Judge Fitzgerald,	8	—	—	—	—
Dr. Kirkpatrick,	7	6	—	—	—
Earl of Salmore (14th April, 1881),	7	16	5	2	4
Dr. Hall (14th April, 1881),	1	3	1	—	4
R. Tyrrell, Esq. (16th July, 1881),	4	12	7	6	7
D. R. Pigot, Esq. (18th November, 1881),	1	14	6	3	10
Rev. A. Murphy (18th November, 1881),	—	3	3	—	—
Rev. R. Edgar (October, 1883),	—	—	2	7	12
D. Ross, Esq. (October, 1883),	—	—	1	5	1

N.B.—In the year 1881 Dr. Jellett was appointed Provost of Trinity College, and the first two attendances of his that year were before his appointment as Provost, and while he was a non-officio member of the Board.

No. V. (i.)

APPENDIX B.

Referred to in Evidence of R. McDOWELL, pp. 30, *et seq.*

RETURN of the Amount expended in payment of instalments of Royal Scholarships at the under-mentioned Royal Schools, and of the Midleton Exhibition at Midleton School, 1881-1885. The figures in No. columns represent the number of Boys receiving payments in each year.

	1881.		1882.		1883.		1884.		1885.	
	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.	Amount.	No.
Armagh,	£ 325	10	£ 200	9	£ 250	7	£ 165	5	£ 140	4
Cavan,	—	—	—	—	25	1	25	1	50	2
Dungannon,	£ 200	9	£ 270	8	£ 270	8	£ 290	7	£ 210	6
Enniskillen,	90	3	55	3	70	3	90	3	55	3
Midleton,	—	—	—	—	50	2	—	—	20	1

RETURN of the Amount expended in Small School Exhibitions (i.e. tenable by boys at school) in under-mentioned Schools. No such Exhibitions are now in existence.

	1881.			1882.			1883.			1884.			1885.		
	£	s	d.	£	s	d.	£	s	d.	£	s	d.	£	s	d.
Armagh,	170	15	4	128	13	4	24	0	0	12	0	0	—	—	—
Cavan,	20	14	8	10	0	0	—	—	—	—	—	—	—	—	—
Dungannon,	168	12	4	95	0	0	40	0	0	12	0	0	—	—	—
Enniskillen,	227	13	4	121	6	8	70	0	0	—	—	—	—	—	—

N.B.—The gradual decrease in amount expended at Armagh in Royal Scholarships is accounted for by the fact that from want of funds many of the Scholarships were withdrawn from competition latterly.

No. V. (k.)

CONSENT of this Board with the Schools of MONAGHAN and LIMERICK.

1. *Monaghan*.—The Commissioners of Education have let the premises to Colonel J. Lloyd at a rent of £5 per annum, and of the contract of letting I annex a copy.

The poor law valuation of the premises is £80. Of course the intention of the letting is that the house should be used (as in fact it is) as a school. Colonel Lloyd is much interested in the district, and holds the house as trustee for a body called the Monaghan School Committee; the head master is Mr. R. C. McCullagh. His school is a mixed school containing Irish Church boys and Presbyterians. The last return (February, 1886) shows 18 boarders at 50 guineas each, 20 day boys 10 guineas each. I refer to the note in the memorandum on this school, *see* 24. The rent itself is at present expended by the Commissioners for the benefit of the school in repairs, and in this way it may be said that the School Committee hold the place rent free.

2. *Limerick*.—The connexion of the Board with this school is of a similar character. In this case they have let at £20 per annum the premises to Rev. Canon Gregg, the intention again being that the house should be devoted to educational purposes. The last school return (February, 1886) shows 63 boarders, 51 day girls, all free, save five boarders at £5 a year each, and two day children at 2s. 6d. a quarter, all Church of Ireland, all girls, elementary education. The poor law valuation is £30. In this case, too, the rent is expended in repairs on the premises. I refer again to the note in the memorandum.

To the Commissioners of Education in Ireland.

My LORDS AND GENTLEMEN.—I hereby propose and agree to become tenant to you for your house and premises known as the Monaghan Diocesan School, in the Town of Monaghan, together with all the buildings and appurtenances thereto belonging, as tenant from year to year, from 1st September, 1880, at the yearly rent of £5, payable half-yearly, on every 1st September and 1st March.

I also agree not to sub-let or assign the said house and premises without your consent in writing, and I further agree to keep the same in good repair, and at the termination of my tenancy to return and yield up the same in as good order and repair, and condition as I shall receive them,—reasonable wear and tear, and damage by fire or storm being excepted.

I also agree to pay all rates, assessments, taxes, charges and impositions, payable for or in respect of the said premises (landlord's proportion of poor rate and income tax only excepted). I am not to receive or expect, nor are you to be bound to give any covenant for a warranty of good title, or for quiet enjoyment, nor are such covenants to be implied hereby.

Dated this 31st day of August, 1880.

JAMES LLOYD.

Signed in presence of
WILLIAM McWILLIAM, Solicitor,
Monaghan.

APPENDIX D

No. V. (L.)

RETURN of the various MASTERS at present employed by this BOARD at the ROYAL SCHOOLS, comprised in the Royal School Charter; together with the amounts of Salary they receive from (a) this Board, and (in the case of Under-masters) (b) from the Head-masters of the respective Schools.

School.	Master.	Paid by Com- missioners.	Paid by Head Master.
		£ s. d.	£ s. d.
Armagh.	Rev. W. M. Morgan, Head Master,	468 0 0	—
	T. Gordon,	150 0 0	100 0 0
Banagher.	P. King Joyce, Head Master,	100 0 0	—
	—	—	—
Cavan.	Rev. W. P. Moore, Head Master,	100 0 0	—
	F. J. Anderson,	200 0 0	—
	W. Brown,	25 0 0	40 0 0*
Dungannon.	Rev. F. H. Hargreaves, Head Master,	300 0 0	—
	W. H. Gearing,	60 0 0	70 0 0
	T. C. Gaudin,	60 0 0	—
	M. Bennett,	60 0 0	50 0 0*
	M. Wilson (Surge),	50 0 0	—
Enniskillen.	Rev. W. Smith, Head Master,	200 0 0	—
	Rev. W. J. Valentin,	200 0 0	—
	C. Hennig,	60 0 0	15 0 0*
Rathfriland.	Rev. J. A. Weir, Head Master,	300 0 0	—
	J. C. Johnson,	60 0 0	—
	A. McQuade,	40 0 0	20 0 0*

Where a star (*) is attached, the Master also receives board from the Head Master.

In the case of F. J. Anderson, at Cavan, a deduction is made by the Head Master of £38 (for board) from his salary of £200.

At Armagh a considerable staff of masters is employed by Dr. Morgan, entirely at his own expense; he returns—Rev. H. Sandford, £300; J. Longford, £120 with board; E. Johnson, £105 with board; W. Devlin, £80 with board; Mons. Deschamps, £125.

No. V. (m.)

RETURN, similar to the preceding, for the Grammar Schools of Private Foundation.

School.	Master.	Paid by Com- missioners.	Paid by Head Master.
		£ s. d.	£ s. d.
Chanel.	M. L. Kennedy, Head Master,	200 0 0	—
Midleton.	A. J. Bard, Head Master,	50 0 0	—
	two or three " Uskers,"	40 0 0	—
Newry.	Rev. J. B. Kane, Head Master,	50 0 0	—
	G. J. Whitfield,	55 7 8	—
Rathfriland.	J. B. Lyon,	50 0 0	—
	W. Foster,	55 7 8	—

Mr. Kennedy employs, at Chanel, the following, at his own expense:—

D. O'Connor,	£50, with board and lodging.
H. Patton,	£45, " "
R. Sparrow,	£30, " "

Mr. Bard, at Midleton, who is allowed £40 towards salaries for Uskers, employs:—

J. Rochford,	£70, with board and lodging, and a share in result fees from Intermediate Board.
P. Owen,	£30, with board and lodging.

In addition to these he pays £30 to a pupil teacher.

No. V. (n.)

RETURN for the Primary Schools, giving the Salaries and Allowances paid to the Teachers by this Board.

School.	Master.	Salary.	Allowance.
Carysfort, . .	J. Whelan,	25	None.
Tullyva, . .	Robert Good, Mary Good,	20	51
Beckons, . .	James Moore, Sarah Moore,	70	21

N.B.—These allowances are for such matters as fuel, special grant for night school, and some other matters; the amount is a fixed amount.

Besides the foregoing Masters, the Architect of the Board, Mr. Wm. M. Mitchell, is paid by fixed salary, viz. £284 per annum.

RETURN of the Salaries paid by this Board to the Masters of the four Tenantry Schools upon their Estates.

Mullaghmore, Armagh.	Tennawilly, Raphoe Estate.
J. Crawford and wife, a joint salary, £30.	J. Fox, £30.
King's Island, Dungannon.	Kilbricken, Cappanoughtlin.
J. Hamill, £35; his wife, £5.	D. Dooley, £20.

No. V. (o.)

VISITATIONS.

The only instance in which the power of visitation has been exercised of late years was, in 1884, in the case of complaints made concerning the conduct of the head master of Bishop Cleave's School at Claryna. In this case the Commissioners, being of opinion that the charges were such as to call for a visitation, requested the Bishop of Clogh to act as Visitor. He consented,

and was appointed Visitor, Thursday, 1st May, 1884. The visitation was held 16th May, and resulted in the exoneration of the master. The Visitor's report made a series of suggestions, copies of which were forwarded to the Trustees of the school, and to the master, with a recommendation from the Board that they be in future carried out.

No. V. (p.)

ARCHITECT'S REPORT.

To the Commissioners of Endowed Schools.

GENTLEMEN,—Having been requested by your Secretary to prepare a general report on the condition of the school buildings which I inspect annually, I beg to do so as follows, merely promising that the statement refers to the state they were in when I visited them last year.

ARMAGH SCHOOL.

The original house is a large and substantial building, perhaps 80 or 100 years old, and forms three sides of a square, being open to the road. Since the appointment of the present head master, large additional buildings containing school-rooms and dormitories have been erected at the rear, a detached infirmary has also been built, and a number of permanent improvements made in the old house from time to time, costing probably from £4,000 to £5,000 in all. The buildings have been well maintained in every part, and are in excellent condition, notwithstanding the wear and tear of a large number of boys. The sanitary conveniences have been altered from time to time, and are in good order. As it now stands these buildings are second only to those of Enniskillen in point of size.

BALLETBOURN SCHOOL.

The school buildings here are small and old fashioned. There is but one school-room, the rest of the house forming the master's residence. They are kept very well, and have been improved of late years in several respects. There are no sanitary conveniences whatever. The offices are small and are in much the same condition as the house.

BANASHIER SCHOOL.

The main house is a very old one, probably two centuries, and was never properly finished inside. It

is a large, roomy, strongly-built house, four stories high, and in a good deal out of repair. About ten years ago a considerable sum was spent in improving it, but before that time it was in a very dilapidated state. There are no sanitary conveniences.

The yard offices are in a ruinous condition, but there is a modern two-storied building adjoining the main house in which the work of the school is carried on, and which is in very good order. The gate lodge was reconstructed and made habitable when the repairs I have spoken of were carried out.

CARTPORT SCHOOL.

This house is a small one, having but one school-room, and about five rooms for the use of the master and his family. A good many improvements have been made of late years, the making habitable a room which had previously been used as a potato store, being one of them. The house is damp and a good deal out of repair, and on account of its age would need a comparatively large outlay to put it into really good order. It has no sanitary conveniences.

The yard buildings are small and are not in good repair.

CAYAN SCHOOL.

This building is about eighty years old and is a large and substantially built block four stories high. In its plan and general arrangement it is well suited for a school of medium size. It is kept in very good order and has undergone no alteration of any consequence since it was built. A few years ago a new lavatory, bathroom and W.C. were introduced, and iron gables fixed along the eaves of the roof. The out-buildings are extensive and are not in such good repair as is the main house.

ARMAGH B.

CLOVELL SCHOOL.

This house is probably about the same age as Cavan, but is not so substantial a building. It stands close to the public street, towards which it has a long frontage. It is three stories high and has a long straggling basement in which there seems to be a good deal of waste space. It is kept in fairly good repair, but is deficient in sanitary conveniences, although the present head master has remedied this to some extent. The out-buildings are not extensive and are in much the same condition as the house. A play shed at the side of the house is being put up.

DEWANSKOW SCHOOL.

The original house is an old one and forms three sides of a square open to the back, to which a new building was added about twenty years ago which contains school-rooms and dormitory. A detached infirmary was erected about the same time. As enlarged this school covers third in point of size and is not much smaller than Armagh. All the buildings are kept in admirable condition, but parts of the old house are decaying and will have to be renewed before long. Several chimney shafts have been rebuilt and other improvements made during the last few years. The buildings are provided with sanitary conveniences, but they are old-fashioned and ill ventilated. A feature of this school is an extensive cloister to enable the boys to play out of doors in wet weather. The out-buildings are of moderate size and are a good deal out of repair.

ENNIISKILLEN SCHOOL.

The original house is a very large one and has a long frontage which overlooks the town. It is four stories high and is probably from eighty to 100 years old. About twenty-two years ago extensive new buildings were added to the rear, a large block containing an examination hall and class rooms was built at one side as well as a detached infirmary a good way in the rear. These additions have made these school buildings considerably larger than any other under my care. On account of the great falling off in the number of boarders during the last few years only a comparatively small portion of the premises are now occupied. They have however been kept watertight and in pretty good structural repair, but from disuse many of the rooms have a neglected appearance. The plumbing fittings are very much worn and will need to be renewed before long, besides which they are of an old-fashioned kind.

The larger school-rooms and dormitories are heated by hot water pipes. The out-buildings are of moderate size compared with the house and are not in good repair.

LEWISBURGH SCHOOL.

This house is about fifty or sixty years old, of medium size, and three stories high. It is used as a girls' school, and being always crowded, the building undergoes great wear and tear. The buildings are not in very good repair, and are deficient in sanitary conveniences. Canon Drury has done a good deal during the last few years to remedy these defects. Last year he had a

large receptacle for sewage sunk in the rock, at great expense, no other outlet being available, and he had likewise erected a range of closets for the children. The premises are kept clean and tidy. There are no out-offices.

MIDLETON SCHOOL.

This house consists of an old building with a large wing at one side, some twelve or fifteen years old, forming together an extensive block of buildings, three stories high. The old portion was in bad repair when the present Head Master was appointed, but since then a considerable sum has been expended on the buildings, greatly to their advantage. The old building will require further outlay from time to time to keep it in order on account of its age. The sanitary arrangements have been improved, but are not so good as I could wish them to be. The out-buildings have become ruinous, but one of them is at present being restored.

MORAGHAN SCHOOL.

The main house is of moderate size, and of the ordinary type, having the hall and staircase in the middle. It is three stories high, and about 100 years old. It is in ordinarily good repair, but is deficient in sanitary conveniences. The present Head Master has, however, made many improvements since his appointment. The detached buildings adjoining are quite modern, but are of very flimsy construction. One or two of the sheds had to be taken down, and the buildings which remain can only be regarded as temporary structures, although the Head Master has done what is possible to make them tolerably comfortable.

NAVAN SCHOOL.

This building is about fifty years old, and does not appear to have been altered since it was built. It consists of two residences, the larger one for the Head Master, and the smaller one for an Assistant Master, connected by a large schoolroom on the ground story. The house is three stories high, and is in fairly good repair. A bath and W. C. have been added, and other improvements made of late years. There are no boarders in the school, and the wear and tear is in consequence slight.

RAHMON SCHOOL.

This house is of considerable size and I should say about eighty years old. It is a substantial structure, and its plan is well adapted to its purpose. It is in excellent condition, as the Head master makes a point of having all repairs promptly carried out. It has W. C.s, but no bath, and the plumbing, though in good order, is old-fashioned. The yard offices are small, and are not in such good order as the house, though by no means dilapidated. A detached infirmary was erected at the further end of the play-ground about fifteen years ago.

I have the honour to be, gentlemen,

Your obedient servant,

WILLIAM M. MITCHELL, Architect.

10, Leinster-street, Dublin,
26th February, 1896.

SWORDS BOROUGH SCHOOLS.

No. VI. (a.)

RETURNS asked for by Dr. MEAGHER, q. 742, p. 59.

Area from which children come.

The limits of Swords Borough extend—

North—To Balharry, about $1\frac{1}{2}$ miles.

East—To Lissen Hall River, a little less than a mile.

South—To Drynam, one mile.

West—To Mooretown, $\frac{1}{2}$ -mile from centre of town.

Number of children from within the borough, 53.

Do. do. without do., 11.

Returns asked for by Dr. MOLLAT, q. 742, p. 59.

APPENDIX B.

No. VI. (b. 1.)

RETURN of the NUMBER of CHILDREN who for the last 10 years were BOUND APPRENTICE in each year, the SCHOOLS from which they came, the AMOUNT of APPRENTICE FEE PAID, and the TRADE to which they were bound in each case.

Year.	Age.	School from which Child came.	Amount paid.	Trade.
			s. d.	
1875.	*1	National.	14 0 0	Drummaking.
	2	do.	15 0 0	Carpetmaker.
	*3	do.	22 0 0	Drum.
	*4	do.	22 0 0	Drum.
	*5	do.	2 0 0	Drum.
	*6	do.	2 0 0	Drum.
	*7	Borough.	12 0 0	Drum.
1876.	1	Borough.	10 0 0	Drum.
	2	do.	31 0 0	Drum.
1877.	1	Borough.	21 0 0	Baker.
	2	do.	20 0 0	Carpetmaker.
	3	National.	20 0 0	Drum.
	*4	do.	2 0 0	Drum.
	*5	do.	20 0 0	Drum.
1878.	1	National.	10 0 0	Drum.
	*2	do.	10 0 0	Drum.
	*3	do.	12 0 0	Drum.
	4	do.	12 0 0	Drum.
	5	do.	12 0 0	Drum.
1879.	*1	National.	10 0 0	Drum.
	2	Borough.	10 0 0	Drum.
1880.	*1	National.	10 0 0	Drum.
	2	Borough.	10 0 0	Drum.
1881.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1882.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1883.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1884.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1885.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1886.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1887.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1888.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1889.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.
1890.	1	Borough.	10 0 0	Drum.
	2	do.	10 0 0	Drum.

No. VI. (b. 2.)

RETURN of the NUMBER of CHILDREN for whose benefit MONEY was paid in other ways, the AMOUNTS PAID in each case, the SCHOOLS from which the Children came who were so benefited, and the mode in which the Money was applied.

Year.	Age.	School from which Child came.	Amount paid.	Mode of application of Money.
			s. d.	
1875.	1	Borough.	10 10 0	Gift—boy went to sea.
	2	do.	20 0 0	Gift and support—boy in general care.
	*3	do.	8 0 0	Towards further education.
	*4	do.	10 0 0	Gift and support—boy in infant school afterwards grammar.
	*5	do.	7 0 0	Gift—training school.
1876.	*1	Borough.	10 0 0	Gift—boy went to sea.
	*2	do.	20 0 0	Gift—training school.
	*3	do.	4 0 0	Gift—education.
	4	National.	15 0 0	Gift—education's clerk.
	*5	do.	15 0 0	Gift—education's clerk.
	*6	do.	10 0 0	Gift—education's clerk.
	*7	do.	10 0 0	Gift—education's clerk.
	*8	do.	10 0 0	Gift—education's clerk.
1877.	1	Borough.	8 0 0	Gift—boy went to sea.
	*2	do.	10 0 0	Towards further education.
	*3	do.	10 0 0	do.
	*4	do.	10 0 0	Gift—boy went to sea.
	*5	do.	20 0 0	Gift—education's clerk.
	*6	National.	25 0 0	Towards further education.
	*7	do.	25 0 0	do.
	*8	do.	10 0 0	do.
1878.	1	Borough.	20 0 0	Gift and part keep—draper's clerk.
	*2	do.	20 0 0	Gift and part keep—draper's clerk.
	3	do.	10 0 0	Towards further education.
	*4	do.	14 0 0	do.
	5	National.	10 0 0	Baker—gift and part keep.
	*6	do.	10 0 0	Monitor in school—gift.
	*7	do.	10 0 0	Towards further education.
	*8	do.	10 0 0	Monitor's clerk—gift and part keep.
1879.	1	Borough.	20 0 0	Further education in Farm—gift.
	2	do.	20 0 0	Railway clerk—gift and part keep.
	*3	do.	10 0 0	do.
	*4	do.	14 0 0	do.
	*5	National.	10 0 0	do.
	6	do.	10 0 0	Towards further education—keep.
1880.	1	Borough.	20 0 0	Towards further education.
	2	do.	20 0 0	do.
	*3	do.	20 0 0	Gift in warehouse—gift and part keep.
	*4	do.	10 0 0	Towards further education.
	*5	do.	2 0 0	Gift during illness and afterwards for funeral.
1881.	1	Borough.	20 0 0	Railway clerk—gift and part keep.
	2	do.	20 0 0	Went to Woking—travelling expenses and gift.
	*3	do.	10 0 0	Towards further education.
1882.	1	Borough.	20 0 0	Further education—gift.
	2	do.	20 0 0	Post office—gift and part keep.
1883.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1884.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1885.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1886.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1887.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1888.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1889.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.
1890.	1	Borough.	20 0 0	Gift—education's clerk.
	2	do.	20 0 0	Gift—education's clerk.

NOTE.—In the original returns, the names of the children are given; in these tables they are represented by numbers corresponding with the places in the original returns.

NOTE.—The numbers with asterisks indicate female pupils.

SUMMARY OF FEES PAID FROM 1875 TO 1890.

Borough School,	£504 10 0
National School,	£417 0 0

No. VI. (a.)

Referred to in Evidence of Rev. W. G. Borch, pp. 60-62.

ABSTRACT of the ANNUAL ACCOUNT of REVENUE and EXPENDITURE for each year since 1880.

Dr.				Cr.	
1880.		£	s.	d.	
January 1	To Cash in hand,	50	4	5	
	By Balan.	608	0	0	
1880.		£	s.	d.	
By Salaries,		376	1	0	
" Captain's Fee,		12	0	2	
" Auditor's Fee,		152	0	2	
" School Expenses,		3	2	0	
" House Expenses,		37	4	3	
" Board Account,		9	12	3	
" Coal 8 tons, at 17s. (Galloway),		25	15	11	
" Carriage of same,		5	11	0	
" Coal 15 tons, at 15s. 6d. (Devon),		0	7	6	
" Money Prison,		20	15	0	
" Premiums on Insurance,		20	3	6	
" Repairs of Premises,		1	0	0	
" Allowance to Master, Writing up Examination Book,		55	9	6	
" Passage, Car, and Train Expenses,		1	0	0	
" Entertainment to Children,		1	12	7	
" Fee for Inspection of Schools,		3	8	8	
" Special Grant Fee to Master,		4	4	0	
" Balance on hand, 31st December,		1	1	0	
		702	4	5	

Dr.				Cr.	
1881.		£	s.	d.	
January 1	To Balance in hand,	18	5	6	
	By Balan.	621	0	8	
1881.		£	s.	d.	
By Salaries,		377	5	0	
" Captain's Fee,		11	0	0	
" Auditor's Fee,		165	0	8	
" School Expenses,		3	2	0	
" House Expenses,		16	8	3	
" Board Account,		7	2	11	
" Coal,		24	15	3	
" Money Prison,		37	15	0	
" Premiums on Insurance,		20	3	2	
" Repairs on Premises,		1	12	0	
" Passage, Car, and Train Expenses,		8	1	11	
" Fee for Inspection of Schools,		1	10	4	
" Special Grant Fee, per order of Board,		4	4	0	
" Charity for Relief of Poor,		2	1	0	
" Special Expenses during Master's Illness, viz.: Subsistence for Master, Car and Train conveying to Hospital, Expenses in Hospital, Gratuity to his Wife,		15	0	0	
" Balance on hand, 31st December,		5	9	0	
		670	8	8	

Dr.				Cr.	
1882.		£	s.	d.	
January 1	To Balance in hand,	9	12	8	
	By Balan.	605	0	0	
1882.		£	s.	d.	
By Salaries,		379	10	0	
" Captain's Fee,		8	1	0	
" Auditor's Fee,		146	10	0	
" School Expenses,		3	2	0	
" House Expenses,		15	15	0	
" Board Account,		3	30	5	
" Carriage of same,		0	5	6	
" Coal,		28	5	7	
" Money Prison,		38	15	6	
" Premiums on Insurance,		12	15	10	
" Repairs on Premises,		1	10	0	
" Expenses of Premises,		9	14	8	
" Passage, Train and Car Expenses,		3	5	0	
" Fee for Inspection of Schools,		2	3	0	
" Travelling Expenses of Inspector,		0	8	0	
" Special Grant Fee to Master and Mistress,		4	15	0	
" Donation to Library,		6	0	0	
" Expenses in obtaining Master,		6	8	8	
" Cleaning Yards,		1	0	0	
" Council's Opinion in re Schools,		5	8	0	
" Supply small items,		5	4	11	
" Balance in hand, 31st December,		5	4	10	
		674	12	9	

No. VI. (c).—continued.

APPENDIX B.

ABSTRACT of the ANNUAL ACCOUNT of REVENUE and EXPENDITURE for each year since 1850
—continued.

Dr.		£ s. d.		Cr.		£ s. d.	
1853.				1853.			
January 1.	To Balance in hands,		6 4 10	By Salaries,		372 15 0	
	" Drains,	644 0 0		" Captain's Fees,		3 12 6	
	" Sale of Books,	1 15 0		" Apprentices Fees,		130 9 0	
				" Auditor's Fee,		2 3 0	
				" School Expenses,		34 0 8	
				" House Expenses,		7 12 0	
				" Bread Account,		13 12 8	
				" Cask,		23 10 0	
				" Money Prices,		7 18 4	
				" Premium on Insurance,		1 10 0	
				" Repairs on Premises,		50 4 4	
				" Car, Trunk, and Passage Expenses,		2 5 8	
				" Special Exam. Fees,		8 1 0	
				" Cleaning Yards,		1 0 0	
				" Sandy soil Fees,		0 8 6	
				" Donation to Coal Fund,		1 0 0	
				" Balance in hand, 31st December,		18 2 11	
		690 17 10				690 17 10	

Dr.		£ s. d.		Cr.		£ s. d.	
1854.				1854.			
January 1.	To Balance in hands,		12 5 11	By Salaries,		372 15 0	
	" Drains,	668 0 0		" Captain's Fees,		3 1 0	
	" Sale of Books,	1 10 0		" Apprentices Fees,		91 0 0	
				" Auditor's Fee,		2 2 0	
				" School Expenses,		16 17 7	
				" House Expenses,		7 0 4	
				" Bread Account,		37 1 8	
				" Cask,		54 9 0	
				" Money Prices,		8 15 8	
				" Premium on Insurance,		1 10 0	
				" Repairs on Premises,		31 2 10	
				" Postage, Car, and Trunk Expenses,		4 55 10	
				" Special Exam. Fees,		32 1 0	
				" Cleaning Necessaries and Sewers,		5 15 0	
				" Small Items,		0 8 8	
				" Donation to Coal Charity,		14 8 4	
				" Donation to Library,		3 0 0	
				" Gratuity by Order of Board,		14 0 0	
				" Charity, per order of Local Governor,		0 10 6	
				" Part Purchase of Plane,		20 0 0	
				" Balance in hands, 31st December,		8 58 0	
		677 12 11				677 12 11	

Dr.		£ s. d.		Cr.		£ s. d.	
1855.				1855.			
January 1.	To Balance in hands,		8 18 0	By Salaries,		367 15 0	
	" Drains,	760 0 0		" Captain's Fees,		9 1 8	
				" Apprentices Fees,		114 5 0	
				" Auditor's Fee,		2 2 0	
				" School Expenses,		2 15 7	
				" House Expenses,		7 2 13	
				" Bread Account,		15 2 7	
				" Cask,		51 15 3	
				" Money Prices,		8 14 8	
				" Premium on Insurance,		1 10 0	
				" Postage, Stationery, Car, and Trunk Expenses,		4 6 4	
				" Special Exam. Fees to Teachers,		52 15 0	
				" Cleaning Yards,		1 0 0	
				" Donation to Library,		10 0 0	
				" Part Purchase of Plane,		22 0 0	
				" Tying up Plans,		0 17 0	
				" Teacher writing up Examination Sheets, 54 & 55		2 0 0	
				" Entertainment to Children,		0 13 11	
				" Funeral Expenses of M. Lockham,		2 18 4	
				" Conveyance of Children to Phoenix Park,		3 0 0	
				" Repairs on Premises,		35 10 6	
				" Donation to Coal Charity,		27 16 0	
				" Extra Assistant Motives,		6 10 8	
				" Balance in hands, 31st December,		18 1 13	
		736 18 0				736 18 0	

APPENDIX B.

No. VI. (d.)

RETURN of the ANNUAL AVERAGE ATTENDANCES of the BOROUGH SCHOOLS from 1862 to 1884 (inclusive).

Year.	Boys.	Girls.	Infants.	Total Average.
1862	26	20	15	61
1863	27	20	15	62
1864	27	21	15	63
1865	28	18	23	69
1866	27.5	20.5	24	72
1867	27	21	27	75
1868	26	27	24	77
1869	26	27	23	76
1870	40	26.25	24.75	91
1871	40.5	28	25.5	94
1872	48.6	24.6	20.1	93.3
1873	39.74	24.79	22.3	86.8
1874	37.2	24.8	19.6	81.6
1875	36.7	20.9	19.1	76.7
1876	32.3	18.5	17.4	68.2
1877	30	20.04	15.23	65.3
1878	37.8	19.4	15.6	72.8
1879	25.3	20.9	10.2	56.4
1880	25.03	22.04	14.76	61.83
1881	25.2	21.62	15.78	62.6
1882	23	20	14	57
1883	23	16	10.5	49.5
1884	25	15	10.9	50.9

No. VI. (e.)

LIST of the present GOVERNORS, who are all ex-officio.

Governors appointed by the Charter.

The Lord Chancellor of Ireland.
 The Archbishop of Dublin.
 The Dean of Christ's Church, Dublin.
 The Provost of Trinity College, Dublin.
 The Dean of St. Patrick's, Dublin.
 The Vicar of Swords.

Present holders of the office.

The Right Hon. Edward Baron Ashbourne
 The Right Hon. Baron Plunket
 Esq.
 The Rev. John H. Jellett, D.D.
 The Very Rev. John West, D.D.
 The Rev. Thomas Trigg, Canon.

No. VI. (f.)

RETURNS as to INFANT SCHOOLS.

Referred to in Evidence of ALICE BARNES, p. 214.

Year.	On Rolls.	Attendance.	Year.	On Rolls.	Attendance.
1880	20.2	14.7	1884	14.7	10.8
1881	15.5	15.2	1885	14	10.9
1882	15.5	15.17	1886	18	11.6*
1883	15.7	10.6			

* For Quarter ending March 1886.

No. VI. (g.)

See Evidence of Father MURPHY, p. 62.

SCHEME for the proper division of SWORDS BOROUGH SCHOOL FUNDS.

To the Commissioners of Endowed Schools.

Parish of St. Columbkille's, Swords,
 November 20th, 1885.

GENTLEMEN—Pending the decision of the Catholic bishops, I respectfully submit to the Commissioners of Endowed Schools the following scheme. First, I give the number of children attending the Borough Schools, and the number attending the Catholic National Schools:—

Average daily attendance at the Borough Schools, 50
 Protestants.
 Average daily attendance at the National Schools, 875
 Catholics.
 Protestant Population of Swords Borough, . . . 124
 Catholic Population of Swords Borough, . . . 1,200

As parish priest of Swords, I respectfully submit the Catholics are entitled to have handed over to them for Catholic children the present Borough School, or, in its stead, £2,000. Also, as parish priest, I respectfully submit that the Catholics of Swords are entitled to five-sixths of the original annual endowment of £204 a year, the funds to be placed in the hands of Roman Catholic trustees, and distributed by them under legal guidance.

I am, gentlemen,

Yours faithfully,

DAVID P. MURPHY.

No. VI. (h.)

See Evidence of Archbishop WALSH, p. 359, et seq.

APPENDIX B.

SUGGESTED PLAN for SECURING a SUFFICIENT ENDOWMENT for the EFFICIENT WORKING of the PROTESTANT BOROUGH SCHOOL of SWORDE.

The difficulty to be met is that pointed out in the *Proposals* of the Governors, of the Select Vestry, and of Dr. Traff, namely, that the unequalled application of the principle of a proportionate distribution of the endowment would not provide the Governors with the means of keeping up the school, or, at all events, with the means of keeping it up in an efficient state.

As is pointed out by the Select Vestry, the numbers in average attendance at the school is so small that the teachers cannot possibly receive salaries from the National Board, an average attendance of thirty being the minimum required for the payment of any salary to a teacher, and an average attendance of thirty-five being the minimum required for the payment of a first-class salary (see the Governors' Protest, section 4).

The Protest of the Governors contemplates the case of an amalgamation of the boys' and girls' schools into a "mixed" school, for the education of boys and girls in common. In this way, it is admitted in the Protest, a sufficient attendance to qualify for a teacher's salary could be secured. But as such an amalgamation is not unreasonably regarded as attended with many disadvantages, it is felt that some other plan should be devised to meet the difficulty so fairly stated.

The Archbishop, then, has ventured to suggest the following plan to the Commissioners:—

I. The proportionate distribution to be taken as the distribution to be followed in the absence of disturbing circumstances, such as the difficulty about smallness of numbers in attendance here in question.

The Archbishop would suggest, however, that clause 15 of the draft scheme be slightly modified, the actual sum, as determined by the present proportion, being named in pounds, shillings, and pence, and these sums being described as what they are, the two proportionate sums so ascertained.

A proviso might then be added, to the effect that this arrangement is to be always subject to the provisions of a new (15th) clause, in which would be set forth the provisions for securing to the school of the minority a sufficient minimum, somewhat to the following effect:—

II. Provided always that if, and so long as, the Governors of the Old Borough School maintain two separate schools for boys and girls, and the number in attendance at each or at either of them is insufficient, under the rules of the National Board, to qualify the school for the payment of a first class teacher's salary, the Commissioners of Charitable Donations and Bequests shall pay, &c., on the application of the Governors, a sum to be ascertained as follows:—

(a) If the attendance at each of the two schools is below the number required by the National Board for the payment of the Board salary (according to his or her classification) to the teachers actually employed in the school, then the sum payable by the Commissioners of Charitable Donations and Bequests to be that which, under the rules of the National Board, would be payable to those teachers if the school were entitled, &c., by the number of pupils in attendance.

(b) If the attendance at one of the two schools is actually below the number, while that of the other school has a sufficient attendance for the Board salary, then the sum payable by the Commissioners of Charitable Donations and Bequests to be that which, under the rules of the National Board, would be payable to the teacher if the school were entitled, &c., &c., by the number of pupils in attendance.

Provided always that, in any case, it shall be at the option of the Governors to claim payment of the proportionate sum payable, as assigned in clause 15, if they think fit to do so.

EXPLANATION of the WORKING of the SCHEME thus PROPOSED, in reference to the different cases that may arise.

First Case.—Two separate schools, neither qualified by numbers to claim payment of the Board salary.

In this case the teachers' salaries, according to their actual qualifications, will be paid by the endowment.

In addition to the sum thus secured for the efficient working of the school—a sum largely in excess of that to which it would be entitled in a merely proportionate distribution of the funds—the Governors will have at their disposal the capitation fees paid by the National Board in respect of both schools.

Per	£125
Plus	80
	£205

Second Case.—Two separate schools, one qualified by numbers to claim payment of the Board salary, the other not qualified.

In this case, the salary in the case of the qualified school will be paid by the National Board.

The salary of the other teacher will be paid by the Commissioners of Charitable Donations and Bequests.

In lieu of the sum thus paid out of the endowment, the Governors can claim the proportionate share, which, in the case of the girls' school being the non-qualified one, would be a larger sum (say, £74, instead of £58, the amount of the National Board salary).

In addition to whatever balance would thus remain over and above the sum required for paying the teachers' salary, the Governors would have at their disposal the capitation fees paid by the National Board in respect of the non-qualified school.

Say—	(1)	(2)
National Board salary	£70	£58
Proportionate share	80	80
Capitation, about	55	55
	£205	£193

Third Case.—One amalgamated or "mixed" boys' and girls' school.

In this case the teachers' salary would be paid by the National Board (the amalgamation being made to secure this payment), and the Governors would have at their disposal the full amount of their proportionate share of the fund.

Say, National Board Salary	£70
Proportionate share	80
	£150

PROVISION for the PERIOD during which the existing *MARRAS* and *MARRAS* continue.

(Two classes or sub-classes).

1. While the existing master continues he is to be paid in accordance with arrangement made for payment of master under the general provisions of the 15th clause.

And so far as the amount thus payable to him (whether by the Charitable Commissioners or by the National Board) may fall short of his present salary of £200, the balance to be paid by the Charitable Commissioners.

2. Same for mistress (not) &c., and so far as, the amount payable to her under clause 16 may fall short of her present salary of £200, the balance to be paid by the Charitable Commissioners. [For there is a possibility of her becoming entitled to a £256 salary.]

No. VI. (1.)

Referred to in Evidence of Canon TUNNICLIFFE, &c., p. 50, of seq.

In the Matter of the GOVERNORS of the SCHOOL at SWORDS, and in the Matter of the EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1835.

DRAFT SCHEME for the administration of the Endowment of the Schools known as "The Swords Borough Schools," submitted for the consideration of the Commissioners under the above mentioned Act, by "The Governors of the School at Swords," being the Governing Body of the said Schools.

Whereas under and by virtue of an Act of the Irish Parliament, 40 George III., chapter 34, entitled, "An Act for granting Allowances to Bodies Corporate and Individuals in respect of these Cities, Towns, and Boroughs, which shall come to send any Members to Parliament after the Union, and to make compensation to those persons whose offices may thereby be discontinued or diminished in value," an allowance of £15,000 was granted to the ancient Borough of Swords, which formerly returned Two Members to the Irish Parliament and was discontinued on the Union.

And whereas by the adjudication of the Commissioners appointed under the said Act (40 George III., cap. 34), dated the 13th June, 1803, it was found that (no individuals having asserted their claims against the fund) it would greatly benefit the inhabitants of the Borough of Swords to have the said fund applied to the endowment of a school or schools for the education of the children of the poor inhabitants of the Borough, and the said sum of £15,000 was accordingly adjudged to be paid to the then holders of the office of:—

1. The Lord Chancellor of Ireland.
2. The Archbishop of Dublin.
3. The Dean of Christ's Church, Dublin.
4. The Provost of Trinity College, Dublin.
5. The Dean of St. Patrick's, Dublin.
6. The Vicar of Swords.

Upon trust that they should apply for a charter incorporating them and their respective successors for the time being into a Body Corporate by the name of "The Governors of the School at Swords," in whom the said sum of £15,000 should be vested, in trust, to be funded in Government Securities and the interest accruing thereon to be applied as follows:—

- 1st. For the maintenance of one or more schools to be established within the said Borough, under proper instructors, for the daily education of the children of the inhabitants of the said borough in reading, writing, and arithmetic, and in such branches of manufactures as should be most likely to promote their future means of livelihood; and the said Commissioners thereby recommended that the children so educated should be provided with one wholesome but frugal meal at the school-house, and should not be taken from their parents' residences to be lodged in the school.
- 2nd. That the surplus of the accruing interest, after paying all the expenses of maintaining the establishment for education, should be applied in apprenticing the children educated in the said school to useful trades and occupations.
- 3rd. That any further surplus still remaining should be applied in premiums for the encouragement of agriculture and manufactures, or in other manner and under such regulations as the Governors should think would most effectually tend to promote the Christian religion, and morality, good order, sobriety, cleanliness, industry, and wealth, within the said Borough.

And it was further adjudged that the sum then due for interest on the said sum of £15,000, and which

was afterwards ascertained to be the sum of £1,100 14s. 3½d. should be vested in the Governors, to be applied by them in obtaining ground for a site, and in purchasing, repairing, building, or fitting proper school-rooms and necessary accommodations for the purposes of the aforesaid establishment.

And whereas by Royal Charter dated the 18th day of February, 1806, being the 44th year of the reign of King George the Third, and enrolled on the 52nd day of February, 1804, the then Lord Chancellor of Ireland, Archbishop of Dublin, Dean of Christ's Church, Dublin, Provost of Trinity College, Dublin, Dean of St. Patrick's, Dublin, and Vicar of Swords, and their successors for the time being, were duly incorporated under the name of the Governors of the School at Swords, with power to receive and enjoy the said sum of £15,000, and to vest the same in Government Securities, upon the trusts and for the purposes in the said adjudication mentioned, and with power to purchase and hold lands in Ireland not exceeding the yearly value of £1,000, and to take and receive any personal property given to them for the same purpose by any person, and with power to elect from amongst themselves a treasurer and a superintendent, and to appoint such other officers as they should find useful, and to appoint committees and make rules and by-laws.

And whereas, by an Indenture, dated the 5th day of December, 1804, and made between the Right Honourable John Staples and Harriette Staples, his wife, of the first part, Robert Brodin and Joseph Brodin of the second part, and the said Governors of the School at Swords of the third part, in consideration of £300 paid by them to the said Robert Brodin, all that parcel of ground in the street of the town of Swords, consisting one rood and twenty-four perches Irish plantation measure, was conveyed in fee-simple to the said Governors for a site for the said schools.

And whereas school buildings were erected on the said site (at a cost of about £1,500) one building contained the boys' school and the girls' school and the other building contained the infant school.

And whereas the residue of the trust funds, after deducting the expenses of building the said schools, was invested, and has considerably increased in amount, being now represented by the sum of £24,060, Government New Three per Cent. Stock, providing a gross annual income of £721 15s.

And whereas the said schools, commonly known as the Borough Schools, were attended by the majority of the children of the inhabitants of Swords up to the year 1835, but in that year the Roman Catholic inhabitants being dissatisfied with the management of the schools, withdrew their children from them, and erected a separate school-house in the town of Swords, at a cost of about £300, by means of public subscriptions, which school they placed under the Board of National Education in Ireland, and which is now known as the Old National School.

And whereas the teachers' salaries in the last mentioned school, amounting, with gratuities and results fees, to about £330 per annum, are paid by the said Board of National Education.

And whereas, by resolution of the Governors passed in 1853, the endowment clause approved of by the Board of National Education in Ireland, was adopted by the Governors as the principle upon which re-

highest education should be given in the said Borough Schools, and they were conducted and managed on that principle until the year 1833, when, by a further resolution of the said Governors they were placed under the said Board of National Education, and have since received the advantages of inspection, and the privilege of obtaining school requisites at reduced prices, but no pecuniary aid has been or is received by the said Borough Schools from the said Board of National Education.

And whereas the two schools being now established and working separately, it is considered that it would not be desirable to enforce a system of combined education, and that the said fund now constituting the endowment of the Borough Schools, may be applied most advantageously for the benefit of the inhabitants of Swords, by making an equitable division thereof, and placing the amount to be allocated to each of the Schools under the management of a separate Board, to be applied for the purposes and in the manner hereinbefore mentioned.

And whereas it is expedient that children of inhabitants of the parish of Swords (which comprises all the ancient borough of Swords and its environs) should be admitted to participate in the advantages of the said endowment.

Therefore the said endowment shall, from and after the date of this Scheme (being the day on which His Excellency the Lord Lieutenant of Ireland, by Order in Council shall declare his approbation thereof), be held and administered for the purposes, with the powers, and under the conditions and provisions hereinafter set forth.

1. The endowment shall be divided, and shall be administered under this Scheme by the two separate and distinct governing bodies hereinafter constituted, each of whom is incorporated, the one having the administration of these portions of the endowment hereby allocated to these Schools now known as the Borough Schools, by the name of the Governors of the Old Borough School of Swords, and the other having the administration of those portions of the endowment hereby allocated to the School now known as the Old National School, by the name of the Governors of the New Borough School at Swords.

2. The present Borough School at Swords shall be called the Old Borough School of Swords, and the Governing Body of the Old Borough School of Swords shall consist of six persons, of whom two shall be ex-officio Governors, and four shall be co-optative Governors. The ex-officio Governors shall be the Archbishop of Dublin, and the Vicar of Swords for the time being members of the Church of Ireland and their successors, and the first co-optative Governors shall be the Rev. Frederick Symonds, of Baskin Hill, Clonsilla, Charles Cobbe, of Newbridge House, Dunstable, Esquire, D.D., Henry Baker, of Ballyvary, Swords, Esquire, J.P., Frederick Congreve, of Glabe Lodge, Kilmallick, Esquire, J.P., all in the county of Dublin. Any vacancy occurring by death, resignation, or otherwise, amongst the co-optative Governors shall be forthwith filled by co-option from amongst members of the Church of Ireland, being residents in the said parish of Swords or the neighbourhood thereof, or being magistrates of the county of Dublin, by the ex-officio and the remaining co-optative Governors in such a manner as the said Governors shall arrange.

3. The school now known as the Old National School at Swords shall be called the New Borough School at Swords, and the Governors of the New Borough School of Swords shall consist of six persons of whom two shall be ex-officio and four shall be co-optative Governors. The ex-officio Governors shall be the Roman Catholic Archbishop of Dublin and the Roman Catholic Parish Priest of Swords and their successors for the time being. The first co-optative Governors shall be Lieutenant-Colonel Foster, of Swords House, J.P., B. Ennisli Cruise, of Dryman, Swords, Esquire, J.P., P. O'Callaghan, of Marston, Swords, Esquire, and Mr. John Lonsdale, of Swords, Pece

Law Gardiner, all in the County of Dublin, and any vacancy occurring by death, resignation, or otherwise amongst the co-optative Governors shall be forthwith filled by co-option by the ex-officio and remaining co-optative Governors from amongst members of the Roman Catholic religion, being residents in the parish of Swords, or being magistrates of the county of Dublin, in such manner as the said Governors of the New Borough Schools shall arrange.

4. Every Governor shall at or before the first meeting which he attends upon his entry into office sign a memorandum in a book to be kept for that purpose, declaring his acceptance of the office of Governor of the Old Borough School of Swords, or the New Borough School of Swords as the case may be, and his willingness to act as such Governor in the trusts of the scheme. And until he has signed such memorandum he shall not be entitled to act as Governor.

5. Any co-optative Governor who shall intimate in writing his resignation of office or shall become bankrupt or incapacitated to act shall thereupon vacate the office of Governor, and every vacancy by death, resignation, or other causes shall be entered in the minutes of the Governing Body, and as soon as may be after the occurrence of such vacancy a new Governor shall be co-opted by the body entitled as aforesaid to make such co-option.

6. From and after the date of this Scheme the existing endowment now vested in the Governors of the School at Swords shall be transferred to and vested in the Governing Body hereby constituted respectively, without the necessity of any Conveyance, Deed, or Instrument, as follows:—The said lands and hereditaments comprised in the said Indenture of the 5th day of December, 1804, and the buildings now standing thereon, with the appurtenances shall be transferred to and vested in the Governors of the Old Borough School of Swords and their successors in fee-simple, upon trust and for the purposes hereinafter mentioned. As an equivalent for the said lands and buildings, the sum £13,000, Government New Three per Cent. Stock, part of the said sum of £24,000, like Stock, now standing in the books of the Governor and Company of the Bank of Ireland, in the name of the Governors of the School of Swords, shall be transferred to, and the right to call for such transfer is hereby vested in the Governors of the New Borough School of Swords, to be held by them upon trust, and for the purposes hereinafter mentioned. The residue of the Endowment Fund, together with all dividends due or to accrue due thereon, shall be transferred to the Governors of the Old Borough School of Swords and the Governors of the New Borough School of Swords in equal shares, and the right to call for such transfers, and to receive such dividends is hereby vested in the said Governors respectively.

7. The Governors of the Old Borough School of Swords shall stand possessed of the said parcel of land and School Buildings upon trust to use the same as Schools for the purposes hereinafter mentioned, and shall stand possessed of the Government Stock so vested in them as aforesaid, upon trust to apply the income thereof (after defraying necessary expenses of management, repairs, and improvements, and all charges, rates, and taxes affecting the endowment) for the maintenance of the same Schools, for the daily education of the children, male and female, of the inhabitants of the parish of Swords, and day scholars only, in accordance with the provisions of the Charter hereinafter recited.

8. The Governors of the New Borough School of Swords shall stand possessed of the sum of £13,000, Government New Three per Cent. Stock, so vested in them as aforesaid, upon trust either to retain the same in its present state of investment, and apply the income thereof for the like purposes as are hereinafter prescribed with respect to the income of the moiety of the residue of the Endowment Fund so vested in them as aforesaid, or shall at any time, or from time to time, as they shall in their discretion think fit, sell and convert

into money the said sum of £3,500 Government Stock, or so much thereof as shall be required for the purpose, and expend the same in building additional or other School accommodation in the said parish of Swords, or for altering, enlarging, or otherwise improving the Old National School of Swords. The said Governors of the New Borough School of Swords shall stand possessed of the moiety of the residue of the Endowment Fund so vested in them as aforesaid, upon trust to apply the income thereof (after deducting necessary expenses of management, repairs, and improvements, and all charges, rates, and taxes affecting the endowment) for the maintenance of the said school now known as the Old National School, or of such other or altered or improved School as shall be substituted therefor, as the New Borough School, for the daily education of the children of the inhabitants of the parish of Swords, as day scholars only, in accordance with the provisions of the Charter hereinafter recited.

9. No child attending either of the said schools shall be compelled to receive or to be present at any religious instruction to which his or her parents or guardians object, and the time for giving religious instruction shall be so fixed that no child shall be thereby in effect excluded, directly or indirectly, from any of the other advantages afforded by such school.

10. Any surplus of the accruing interest of the funds hereby vested in either of the said Governing Bodies hereby incorporated, after providing for the expenses of maintaining the schools, for the time being under the management of such Governing Body, shall be applied in apprenticing any of the children educated in such school to some useful trade or occupation, and in making a selection from amongst such children due regard shall be paid to merit, as ascertained by the yearly examination to be held at such school, and to previous good conduct, attendance, and progress at school.

11. The Governors for the time being of each of the said schools shall meet at their respective school buildings, or at such other place as they shall respectively appoint for the transaction of the business of, and connected with, their respective trusts. Such meetings shall be held at least twice in every year in case of each Governing Body, on such days and at such times, as they shall respectively appoint, and due notice of every meeting of either of the said Governing Bodies shall be given to each Governor thereof at least two clear days before such meeting.

12. Any two or more of the Governors of either of the said schools may at any time call a special meeting of the Governing Body, giving to each Governor seven clear days notice of such meeting, and specifying in such notice the object thereof.

13. If at the time appointed for a meeting a sufficient number of Governors to form a quorum be not present, or if the business of the meeting be not completed, the Governor or Governors present may adjourn the meeting to such day or time as he or they may fix, of which notice shall be given in such manner as the Governing Body may from time to time appoint.

14. A minute book shall be kept by each of the said Governing Bodies, and minutes of all proceedings of the Governors thereof shall be entered therein.

15. At all meetings, whether ordinary or special, a quorum shall be constituted when three members are present, and all matters and questions shall be determined by the majority of the members present. The Archbishop, or in his absence the other ex-officio Governors, or in the absence of both the ex-officio Governors, the senior ex-officio Governor shall be chairman of the meeting, and in case of equality of votes the chairman of such meeting shall have a second or casting vote. All deeds and other writings sealed by the Corporate Seal, and signed by the chairman of any meeting, and one other Governor, shall be held to be validly executed on behalf of the Governing Body.

16. The Governors present at any meeting of either of the said Governing Bodies may appoint one or more

of the members of such Governing Body to be a committee or committees to superintend and carry into execution any orders, rules, and directions of such Governing Body with respect to any of the purposes of this scheme connected with their school.

17. Within one month from the date of this scheme a meeting of the Governors of each of the said Governing Bodies respectively shall be held for the purpose of making arrangements for the conduct of business, and for the immediate administration of the endowment.

18. The present Governors of the school at Swords shall continue to exercise all necessary administrative powers and duties with respect to the endowments until the first meetings of the Governors of each of the Governing Bodies hereby constituted shall have been held, and they shall from and after the said meetings respectively wholly cease to exercise any right or power of administration over the endowments, and shall transfer to the Governors of the Old Borough School of Swords all the books, deeds, and papers, and all cash balance and chattel property belonging to the endowment not heretofore appropriated, provided that the Governors of the New Borough School of Swords shall be entitled to obtain copies of any such books, deeds, and papers as shall in any manner relate to their endowment, on paying reasonable charges therefor.

19. It shall be lawful for each of the said Governing Bodies to make such bye-laws and regulations as the Governors thereof shall respectively consider convenient and needful for its good government and for the management of the affairs and promotion of the objects thereof, including the mode of conducting business by committees. Provided that no such bye-law or regulation shall be inconsistent with the provisions of this scheme, with power to alter or repeal the same. Provided that such bye-laws and regulations shall be approved, altered, or repealed by a resolution carried at a meeting of which notice is given, as herein provided, and affirmed at a meeting held with notice as aforesaid, not less than fourteen days thereafter.

20. Each of the Governing Bodies hereby created may appoint from time to time such schoolmasters and mistresses, examiners, teachers, and other officers as may seem necessary, and at such respective salaries as may seem suitable, and may retain or dismiss, or alter the salary of the present or any future schoolmasters and mistresses, deputy superintendents, examiners, teachers, and other officers of the schools of such Governing Body from time to time as may seem advisable, and there shall be no appeal from the decision of the majority of the Governors of such Governing Body present at any duly constituted meeting with respect to any such dismissal or alteration of salary.

21. All vested interests of individuals holding any office, place, or employment, pension, compensation, allowance, bounty or emolument, under or arising out of the said endowment, in so far as the same was in existence at the passing of the Educational Endowments (Ireland) Act, 1883 (if any) are hereby surrendered and reserved.

22. Each of the Governing Bodies hereby created shall have power to grant to the present Governors of the school at Swords, and to the individual Governors thereof a full and effectual discharge from all claims competent against them in respect of the portions of the endowment hereby transferred to such Governing Body, on a satisfactory audit of the accounts of such endowment, and in compliance with the provisions of clause 18 hereof. And shall be bound, if required, to grant such discharge on fulfilment of the said conditions.

23. It shall be lawful for each of the said Governing Bodies to award prizes, either of money or books, to such of the children attending the schools as shall exhibit special merit at the general yearly examination, provided that the amount expended out of the income of the Endowment Fund allotted to such body upon such prizes in any year shall not exceed £10.

24. It shall be lawful for each of the said Governing Bodies to discontinue from the school any child for adequate cause, such cause to be specified in the order of dismission, and the sufficiency of such cause shall be in the sole discretion of the Governors.

25. Each of the said Governing Bodies shall cause to be kept regular accounts of the receipts and disbursements in respect of its Endowment Fund in such manner and form as shall be from time to time prescribed by the Local Government Board, and the accounts of each year ending the 31st day of December, or an abstract thereof, in such form as the Local Government Board shall prescribe, shall be submitted on or before the 15th day of January following to an auditor of the Local Government Board.

26. Save as heretofore provided in the 5th clause of this scheme, no change shall be made by either of the said Corporate Bodies in the investments of the funds hereby respectively vested in them without such notice to the Commissioners of Charitable Donations and Bequests, as is required by the 13th section of the statute of the 36th and 37th Vic., cap. 54, entitled An Act to amend the Law of Charitable Donations and Bequests in Ireland.

27. Each of the said schools shall continue its connection with, and shall be under the inspection of, the Commissioners of National Education, and the inspector from time to time appointed for that purpose by the said Commissioners shall be deemed to be the

inspector appointed by the Lord Lieutenant under the Educational Endowments (Ireland) Act, 1888, and the reports of such inspector shall be presented to the Lord Lieutenant, and such inspector shall not be entitled to any remuneration in addition to the remuneration which he may be entitled to receive from the said Commissioners.

28. Each of the said Governing Bodies may receive any additional donations or endowments for the general purposes of the endowment, to be administered by such Governing Body under this scheme. Each such body may also receive donations or endowments for any special objects which shall not be inconsistent with or calculated to impede the due working of the provisions of this scheme.

29. The Governors of each of the said Governing Bodies shall cause this scheme to be printed, and a copy to be given to every Governor and Officer of such Governing Body upon his entering into office, and copies shall be sold, at a reasonable price, to all persons applying for the same.

30. From and after the date of this scheme the endowments shall, for every purpose except as herein provided, be administered and governed wholly and exclusively in accordance with the provisions of the scheme, notwithstanding any former or other Scheme, Act of Parliament, Charter or Letters Patent, Statute or Instrument, relating to the subject-matter of this scheme.

APPENDIX B.

THE INCORPORATED SOCIETY FOR PROMOTING ENGLISH PROTESTANT SCHOOLS IN IRELAND.

No. VII. (a.)

Referred to in Evidence of Jos. VADWAN, p. 92.

Summary of RENTALS of LANDS comprised in this Endowment.

Page.	Description.		How held.	Area of Holding, Statute Measure.	Free Land Value.	Yearly Rent.	Amount of Rent (if any) due 1 Nov. 1886.	Observations.
				A. R. P.	£ s. d.	£ s. d.	£ s. d.	
—	Enniskerry	Estate.	Tithes-rentcharge, Cos. Roscommon and Galway.	—	—	611 10 7	10 11 8	The following entries refer to the endowment to which the estate belongs as described in Scheme C.
1-4	"	"	Rent, " " "	5,150 0 00	4,000 0 0	5,420 0 4	270 10 0	
2	"	"	Rent, " " "	650 0 7	200 10 0	720 10 10	444 11 10	
3	"	"	Rentcharge, " " "	—	—	27 10 10	—	
6	Dundalk	"	Rent, " " "	507 5 27	207 10 0	192 0 0	—	
7	Derna	"	" " "	410 2 3	212 10 0	405 10 0	28 7 2	
8	Prossels Grange	"	" " "	442 2 30	404 0 0	407 0 0	210 4 1	
9	Colinstown	"	Rent and rentcharge, " " "	104 2 50	73 10 0	815 0 0	64 14 3	
10	Arklow	"	Rent, " " "	—	—	602 10 7	8 0 0	
11	Carroll	"	" " "	—	—	27 10 10	—	
12	Carroll	"	" " "	80 5 1	14 10 0	120 10 0	—	
13	Griffiths	"	" " "	48 1 1	27 10 0	84 0 4	63 10 0	
14	Griffiths	"	" " "	30 0 0	60 10 0	60 10 0	10 0 0	
15	Lady Mac's	"	" " "	7 2 81	11 0 0	32 0 0	—	
16	Griffiths	"	" " "	54 2 0	110 10 0	121 10 0	70 10 0	
17	Griffiths	"	" " "	12 2 1	33 0 0	60 0 0	—	
18	Griffiths	"	" " "	30 0 0	80 0 0	20 0 0	—	
19	Donna Stewart's	"	" " "	600 0 30	602 0 0	430 10 0	375 4 1	
20	Rogerson, Dublin.	"	" " "	501 5 57	500 10 0	608 7 0	0 12 4	
21	Rogerson's, Cork.	"	" " "	—	—	501 4 8	64 0 1	
22	Lectra	"	" " "	—	—	62 0 0	120 10 0	
23	Mosely's Beguon	"	" " "	1,504 0 20	1,507 0 0	220 10 0	—	
24	Keston-croft	"	" " "	5 1 0	173 0 0	180 0 0	—	
25	York-croft	"	" " "	—	—	100 0 0	100 10 0	
26	Stoney Street.	"	" " "	1,407 1 1	1,470 10 0	340 10 0	85 0 0	
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No. VII. (b.)

THE INCORPORATED SOCIETY.

Referred to in Evidence of W. CHAPMAN, p. 92.

DETAILED SCHEDULE OF INVESTED FUNDS, showing sources whence derived.

No.	Nature of Security.	Capital.		Annual Income Dividend, or Interest.	Names in which Investment made.
		Amount of Stock.	—		
		£ s. d.		£ s. d.	
1	Consols.	40,000 10 4	Vrybaer's Request.	1,700 4 0	This Stock is in the English Funds, and stands to the credit of Chancery to credit of the Incorporated Society in the name of the Attorney-General.
2	New Three per Cents.	20,000 0 0	Residue of 200,000, from- ward. Request (part owed on land).	600 10 0	The Incorporated Society.
3	Three per Cent. Consolidated Stock.	1,200 11 8	Salvo-Powells and Ash- low.	28 17 8	Do. do.
4	New Three per Cents.	400 10 4	Land sold under Lands Chancery—Barnstaple.	27 1 0	In Chancery—Barnstaple, Midland Great Western Railway Company of Ireland and Railway Act, 1846. To credit of the Incorporated Society.
5	Do.	400 0 0	Land sold under Lands Chancery—Barnstaple.	20 7 0	In Chancery—Barnstaple, Great Northern and Western Railway and Sandy Act. To credit of Incorporated Society.
6	Do.	400 0 0	Land sold under Lands Chancery—Act—Cork Estates, Rogers's Re- quest.	20 10 0	In Chancery—Barnstaple, Alderson, and Barnstaple of the Borough of Cork. To credit of the Incorporated Society.
7	Consols.	400 0 0	Land sold under Lands Chancery—Act—Gar- diner's Request.	19 11 0	In Chancery—Barnstaple, Dublin and Barnstaple Railway. To credit of the Incorporated Society.
8	New Three per Cents.	400 14 0	Savings Request.	20 17 0	The Incorporated Society and Secu- rity for time being.
9	Do.	740 37 10	Savings last 6 years.	20 0 0	The Incorporated Society and Secu- rity for time being.
	Total Stock.	41,840 2 2		2,568 10 0	

17th April, 1886.

WILLIAM P. CHAPMAN, Registrar.

No. VII. (c.)

Referred to in Evidence of W. CHAPMAN, p. 92.

DETAILED SCHEDULE OF INVESTED FUNDS comprised in this ENDOWMENT.

No.	Nature of Security.	Capital.		Annual Income, Dividend, or Interest.	Dividends are appropriated to
		Amount of Stock.	Total Amount.		
		£ s. d.	£ s. d.	£ s. d.	
1	Consols.	—	40,000 10 4	1,700 4 0	General Fund.
		100 0 0	—	17 10 4	Barra Estate.
2	New Three per Cents.	20,000 0 0	—	600 10 0	Colbridge Estate.
		20,010 10 0	—	6 10 0	Barra Estate.
		1,200 11 8	—	28 17 8	General Fund.
		200 10 4	—	27 1 0	General Fund (Reserved).
3	Three per Cent. Consolidated Stock.	1,200 11 8	—	28 17 8	General Fund.
4	New Three per Cents.	400 10 4	—	27 1 0	General Fund.
5	Do.	400 0 0	—	20 7 0	General Fund.
6	Do.	400 0 0	—	20 10 0	General Fund.
7	Consols.	400 0 0	—	19 11 0	General Fund.
8	New Three per Cents.	400 14 0	—	20 17 0	General Fund.
9	Do.	740 37 10	—	20 0 0	General Fund.
	Total.	—	41,840 2 2	2,568 10 0	

17th April, 1886.

WILLIAM P. CHAPMAN, Registrar.

No. VII. (c.)

THE INCORPORATED SOCIETY IN DUBLIN FOR PROMOTING ENGLISH PROTESTANT SCHOOLS IN IRELAND.

Referred to in Evidence of H. T. DEE, p. 23. See also p. 315, at seq.

LIST OF ENDOWMENTS.

Explanatory Remarks.	List of Endowments.	Page in This Book.
Estates belonging to Endowment, see Rental, pp. 1-4.	Baronagh Estate. —Act of 33rd George II., cap. 1, Trust.—Out of the yearly rents issues and profits of the said lands, hereditaments, and premises, to pay to a minister or clergyman for the time being, who should have care of souls in Athlone, the sum of £30 a year for ever, and the like sum of £30 a year for ever to the minister of Roscommon for the time being, said several sums of £30 to be payable to the said ministers, respectively, in half-yearly payments, on the 1st day of May and 1st day of November, for ever, the first payment thereof to commence and be made payable on the first day of November which should happen next after the schools hereinafter mentioned should be built and furnished, and that the said Incorporated Society in Dublin for promoting English Protestant Schools in Ireland, should by and out of the remainder of the yearly rents, issues and profits of the said lands, tenements, hereditaments, and premises, and by and out of the avails of rents, fines, and sums of money thereby vested in the said Incorporated Society, build one or more good and sufficient house or houses in or near the said town of Athlone, and one or more good and sufficient house or houses in or near the said town of Roscommon, with proper and convenient yards, outhouses, gardens, and enclosures to the said several houses for the reception, maintenance and education of so many poor Protestant boys and girls, if such can be conveniently had, as the clear remaining income of the said estate, manor, town, lands, tenements, hereditaments, and premises will properly maintain and support under such rules and regulations as the said Incorporated Society shall direct and appoint.	7 19
Rental, p. 5, .	Possicks Estate. —Will of Right Rev. Richard Possicks, Bishop of Ossory, dated 10th July, 1753, and codicil thereto, dated 24th March, 1755. Letters of administration with will annexed granted 25th June, 1756. Trust.—By said will, testator left residue of his estate real and personal in trust for founding a school for Papist boys from twelve to sixteen years old, who shall become Protestant, and to be bred to linen weaving, and instructed in the principles of the Protestant religion. Said boys not to have been in any school before, on any public legal foundation, and in particular none of the Charter schools. To be apprenticed to [sic] the Society after they were fourteen years old for seven years. If any other religion should be established than the present Protestant religion, he left the whole for such time to St. Patrick's Hospital in Dublin for leprosy, under the direction of the Archbishop of Dublin for the time being, to revert to the Society whenever it should be re-established for the purposes above mentioned.	42, 452
Rental, p. 11, .	(a.) Maud's Trusts. —Deed between the Incorporated Society of the first part, the Hon. Charles Frederick Bernard, Bishop of Tuam, and John William Scott of the second part, and the Very Rev. John C. McDonnell, Dean of Cabel, D.D., of the third part, dated 5th November, 1857, registered 7th November, 1857. Trust.—In trust to pay annuity of £14 to the Incorporated Society towards support of School then under the said Incorporated Society at Cabel or of any other school in the said diocese, towards the support of which the said Society should see right that the said fund or any part thereof should be transferred, and the Dean of Cabel and Rector of St. John Baptist, Cabel, to be entitled to see the said yearly sum of £14 expended in Scriptural education in said diocese, and the said Society should use their own discretion as to the way in which said sum was to be applied. Same to be called Lady Maud's Charity Fund.	29

No. VII. (c).—continued.

THE INCORPORATED SOCIETY.—LIST OF ENDOWMENTS.—continued.

Explanatory Remarks.	List of Endowments.	Page in This Book.
Rental, p. 5. . .	<p>(b.) <i>Anne Gorman's Bequest</i>.—Part of Pooocke.—Will of Anne Gorman, dated 17th September, 1845, and codicil, dated 8th May, 1847. Administration granted 29th March, 1851.</p> <p>Trust.—In trust after payment of legacies and annuities that the Society should apply rents and income of her residuary property in support of Charter School, founded by Bishop Pooocke, at Lintown, near Kilkenny, and then at Brewnstown, under name of Pooocke Institution, or for enlargement thereof, subject to directions in will of Dr. Pooocke. Trustees appointed by said codicil the Bishop of Ossery and Minister of St. Mary's for the time being Trustees and Executors of Will in conjunction with the Incorporated Society, and to have an equal share in the management and control of the bequest made in Will to Pooocke Institution.</p>	95
Rental, p. 6. . .	<p>(c.) <i>Emerson, County Dublin</i>.—Ballynash and Killynash, Dromahaire Estate.—Deed, Grant in Fee, from Hugh Boyd to said Society, dated 20 March, 1735, registered 5th December, 1735.</p> <p>Trust.—For the use of a school to be erected and for ever afterwards maintained and supported on the premises by the Society for teaching and instructing children of the Popish and other poor natives of Ireland to speak, read, and write the English language and character, and for instructing them in the principles of the Protestant religion established in this kingdom, and in the knowledge of husbandry and gardening, and such trades and manufactures as the Society should think proper.</p>	98
Rental, p. 8. . .	<p>(d.) <i>Nicholson's Bequest</i> (Primrose Grange).—Deed from Trustees of Charitable Donations of Edward Nicholson to said Society, dated 1st May, 1849, registered 14th February, 1850. Bequest of lands therein mentioned.</p> <p>Trust.—In trust:—</p> <ol style="list-style-type: none"> 1. To build a new schoolroom and dormitory, at Primrose Grange, according to specification. 2. To furnish all necessary books, furniture, fuel, &c., for same. 3. To appoint an English master capable of giving superior instructions, and conducting a large institution. 4. To continue to support ten boys on the foundation, seven to be nominated by parties of the first part in said deed named, and three by Society. 5. To provide accommodation for a limited number of boarders, who shall pay a sum per quarter, who shall be instructed in the several branches of a sound English education and in the science and practice of agriculture. 6. To establish, in connection with the English school, an agricultural school, and appoint an agricultural master, who shall commence the reclamation and cultivation of the school farms,—the working and improvement of the land to be done by spade husbandry. 7. To instruct all boys on the foundation and also day scholars, so desiring it, in farming and gardening by the agricultural master. 8. To take care that agriculturist shall be a married man, and undertake the feeding of the boys, and his wife to take care of the internal arrangements of the house and dairy. 9. To defray the expense of reclamation and improvement of land by dividing and fencing the ground. 10. To supply lime and have a regular rotation of green crops raised by the agriculturist. 11. To bear all expenses over the annual income and receipt of the premises specified in the second and third schedules. 12. To take care that all the children of the school should receive sound Scriptural education, and according to the principles of the United Church of England and Ireland. 	102, 120
Rental, p. 8	<p>(e.) <i>Orrmsby Bequest</i>.—Charity boys, Sligo. Primrose. Will of Adam Orrmsby, dated 16th April, 1735. Proved 6th June, 1734.</p> <p>Trust.—An annuity of £35 devised to Bishop of Elphin out of lands of Grange, in trust for the use of Charity School Boys of the town of Sligo.</p>	125

No. VII. (c.)—continued.

APPENDIX B.

THE INCORPORATED SOCIETY—LIST OF ENDOWMENTS—continued.

Explanatory Remarks.	List of Endowments.	Page in Title Book.
Rental, p. 7.	(C) <i>Ferre</i> .—Will of William Wilson, dated 25th March, 1738, and Codicil thereto, dated 15th October, 1740. Proved 18th December, 1743. Trust.—Bequest to the Incorporated Society for Promoting English Protestant Schools in Ireland according to tenor of the Charter, lately granted for the conversion of the children of the poor natives of the Romish persuasion to the Protestant religion and educating them therein.	130, 133.
Rental, p. 8.	(g) <i>Colbridge</i> .—Will of William Connolly, dated 18th October, 1729, proved 22nd September, 1729; and Deed, dated 28th September, 1811, between Nathl. Clements, Earl of Leinster, and Louise A. Connolly, otherwise Lennox, widow, and the Rev. Patrick Sands of the first part, John J. Henri of the second part, Edward Pakenham of the third part, and the Incorporated Society of the fourth part. Trust.—Bequest of £200 to Bishop of Clogher, Right Honorable M. Coghill Thomas Marley, then Attorney-General, and Rev. George Marley, Vicar of Kildareigh, to be laid out by them in erecting a convenient building in or near the town of Colbridge, in the County of Kildare, on such spot of ground as shall be set out to them for that purpose by Testator's wife and nephew, for the reception of forty orphans or other poor children. And bequest of £250 yearly for maintenance and education of such orphans or poor children, and their instruction in linen or hempen manufactures or husbandry.	141, 142.
Rental, p. 11.	(A) <i>Sentry</i> .—Deed from the Right Honorable Luke Gardiner to said Society, dated 21st March, 1739, granting a site for a school to be endowed by the Incorporated Society according to their usual custom. Registered 24th March, 1739. Trust.—In trust for use and benefit of a resident Protestant schoolmaster to teach the English tongue in the parish for ever.	158
Rental, p. 9.	(k) <i>Arklow</i> .—Will of Mary Boland, dated 20th March, 1807. Deed from Anne Clements and Margaret Morda, coheirs of the said Mary Boland, to said Society, dated 16th January, 1843. Registered 27th January, 1843. Trust.—In trust for the support of the Charter School near Arklow.	164
Rental, p. 9.	(j) <i>Price's Annuity</i> (£30).—Deed from Richard Price to said Society, dated 24th September, 1743. Registered 3rd July, 1747. Trust.—In trust to be applied by the Society for the maintenance and support of a school (then to be erected near the City of Dublin for the maintenance and education of certain poor children) in such manner as in such like schools they shall direct and appoint.	170
Rental, p. 9.	(k) <i>Glennal</i> .—Lease from Sir Charles Moore to said Society, dated 23rd April, 1747. Registered 20th July, 1747, and Fee-farm Grant from Sir Edward Hulse to said Society, dated 1st February, 1860. Registered 28th April, 1861. Trust.—This Lease reserves a rent of £12 a year, and was made to encourage Society to build a school on the property thereby devised (24s. 2s. 7½) for education of twenty boys and twenty girls.	170
Rental, p. 9.	(K) <i>Glennal</i> .—Will of John Dawson, dated 16th January, 1743. Administration granted 9th May, 1746. Trust.—Bequest of £500 to Society which are incorporated or otherwise formed to erect Charity Schools in the Kingdom for educating poor children in the Protestant religion, and for the teaching of them useful trades, to purchase ground near Glennal for Charity School, and Bequest of lands for support and maintenance of said school, subject to their rules. Grant from John Bagwell to said Society, dated 6th January, 1836. Registered 18th April, 1836. Trust.—To maintain an English Protestant School on the premises according to their Charter.	177
		180

No. VII. (c)—continued.

THE INCORPORATED SOCIETY—LIST OF ENDOWMENTS—continued.

Explanatory Remarks.	List of Endowments.	Page in This Book.
Rental.	(m) <i>Birdhill</i> .—Lease from George Twiss and Lady Grace Gore to said Society, dated 3rd September, 1863. Registered 4th February, 1864. Trust.—[None specially mentioned.]	181
Rental, p. 11.	(n) <i>Newport, Tipperary</i> .—Deed from Robert Baron Newport, to said Society, dated 9th July, 1747. Registered 20th July, 1747. Trust.—In trust to build and maintain a school on premises for reception, teaching, &c., of twenty boys and twenty girls, to be appointed by said Society according to the Charter. If school not built within three years, said Society did not continue to educate twenty boys and twenty girls, demise to cease.	184
Rental, p. 11.	(o) <i>Exp.</i> —Deed poll by John Leslie to James Irvine and James Stewart, churchwardens and successors for ever, dated 24th April, 1739. Registered 29th December, 1739. Trust.—In trust for the sole use and benefit of a resident Protestant Schoolmaster to teach the English tongue in the parish of Raymoghly for ever.	190
Rental, p. 10.	(p) <i>Stredbally</i> .—Deed poll by Peter Conby, dated 19th February, 1736. Trust.—In trust for the sole use and benefit of a resident Protestant Schoolmaster to teach the English tongue in the parish of Stredbally for ever.	194
Rental, p. 10.	(q) <i>Trin.</i> —Deed from the Right Hon. Richard Lord Mornington to the said Society, dated 17th August, 1748. Trust.—In trust to and for the use of a resident Protestant Schoolmaster to teach the English tongue to twenty boys and twenty girls. Provided that should Charter School be discontinued, premises to revert to Grantor. The Duke of Wellington, who is entitled to the reversion, has, however, waived this condition by consent, dated 10th August, 1881. Subsequently on application to the Commissioners of Charitable Donations and Bequests they ordered that the application nearest and most conformable to the directions and intentions of the Grantor was that the premises on which the Schoolhouse stood should be let or sold, and that the income derived therefrom and from the other lands so granted by the Deed of 17th August, 1748, should be applied by Society for support, maintenance, and education of boys and girls in such of the Society's Boarding Schools as the Society, with the assent of the Commissioners of Charitable Donations might direct, such pupils to be taken from the class of the population which supplied pupils to the Trin Charter Schools.	206
Rental, pp. 13, 14, and 15.	(r) <i>Rogerson's Bequest</i> .—Will of John Rogerson, dated 24th April, 1875. Proved 17th May, 1885. Trust.—After payment of Legacies to the Incorporated Society, in trust, for the use of their Schools.	229
Rental, p. 12.	(s) <i>Stewart's Bequest</i> .—Will of Richard Stewart, dated 21st December, 1774. Proved 1st August, 1778. Trust.—Lands bequeathed to Society to build residence for English Protestant Schoolmaster in the parish of Louth, and to grant an annuity of £15 as salary to said Master whose qualifications were liable to be watched over by Rector of Louth. No Schoolmaster to continue longer than good behaviour. A like annuity of £10 a year to Charitable Infirmary of Dundalk charged on Rathesdy. £5 to be paid to Rector of Louth for Poor of Parish to be paid by Society.	231
Rental, p. 16.	(t) <i>Mitchell's Bequest</i> .—Will of Topham Mitchell, dated September, 1763. Proved 23rd May, 1764. Trust.—Bequeathed residue of his property to Incorporated Society, Governors of Dr. Steevens' Hospital, and Governors of St. Patrick's Hospital and of Mercer's Hospital, for benefit of each charity.	302
Rental, p. 18.	(u) <i>James de la Hay's Bequest</i> .—Will of James de la Hay, dated 18th September, 1756. Proved 26th April, 1757. Trust.—After payment of certain legacies, Testator bequeathed residue to Society to be by the Society distributed to the working of the Schools as they should think proper.	318
Rental, p. 18.	(v) <i>Adderley (Innishannon)</i> .—Deed from Thomas Adderley to said Society, dated 4th May, 1748. Registered 18th August, 1748. Trust.—Grant of lands to the Society in trust for the sole use and benefit of a Charter School in the parish of Innishannon for ever. If Royal Charter to Society recalled, said grant should cease.	342

No. VII (c).—continued.

APPENDIX B.

THE INCORPORATED SOCIETY.—LIST OF ENDOWMENTS.—continued.

Regulatory Remarks.	List of Endowments.	Page in Title Book.
Serial.	(ss.) <i>Woodstown</i> .—Deed from the Mayor, Sheriff, and citizens of the County of the City of Waterford to the Society, dated the first day of July, 1743. Registered 15th February, 1743. Lessees to the Society at nominal rent to encourage Protestant schools.	346
Serial, p. 15.	(s.) <i>Mount Stewart</i> .—Will of William Bullen, dated 21st June, 1753. Proved 4th December, 1755. Trust.—Chief rents bequeathed to the Society.	343
Serial, p. 15.	(y.) <i>Shannongrove Estate</i> .—Deed from William Bury to the Society, dated 8th May, 1753. Registered 26th August, 1758. Trust.—In trust to the sole and only use and benefit of the then intended Charter School or Provincial Nursery for the reception of 100 children at Shannongrove.	354
	(z.) <i>General Fund</i> .—Will of Lord Vrybourn, dated 10th September, 1759. Trust.—By the Will of Lord Vrybourn he bequeathed as much stock in the parliamentary funds as would produce £1,700 per annum to the Treasurer of the Incorporated Society in Dublin for protecting Protestant Schools, erected by charter, in order that said interest or income £1,700 should be annually employed in respect of said Schools, and no part of it for the purpose of building or in repairs or ornament, but solely to the use and benefit of the children belonging to the said Schools.	460
	(as.) <i>Drummond Donation</i> , made 21st July, 1759. Trust.—By Letter rectified in Release from the Society to Robert Drummond, dated 7th December, 1796, it appears that an anonymous donor transferred to the said Robert Drummond £40,000 stock, 4 per cent. annuities, as Treasurer of the Incorporated Society in Dublin, the dividends from time to time to be applied by the said Society in Ireland, in promoting the scheme of the Protestant Charter Schools and nurseries in the four provinces of Ireland equally, and in respect to the capital of the said £40,000, to hold the same at the entire disposal of the said Incorporated Society, and to sell the whole or any part thereof at any time or times they might direct, and to account with and pay over to those whatever money he might receive by virtue of said sale or sales, or transfer the whole or any part thereof into the name or names of such person or persons as the said Incorporated Society may at any time direct, and that he should hold the same subject to the control and direction of the said Incorporated Society only, without any limitation to any other purpose or purposes whatsoever; and Testator expressed his wish also that the capital sum might be preserved entire, and that the said Robert Drummond might concur in any necessary mode of improvement that might be adopted by the Society in Dublin, as they from experience were the best judges.	462
Serial, p. 16.	(bb.) <i>Looken and Levings Fund</i> .—Will of Sir Richard Levings, dated 15th June, 1746, and the Order of the Vice-Chancellor of Ireland made in the matter of the Attorney-General for Ireland as the relation of the Commissioners of Charitable Donations and Bequests for Ireland, Plaintiffs; the Governors of the Schools founded by Erasmus Smith, Esq., Defendants. Dated 4th July, 1871. Trust.—By the Will of Sir Richard Levings he left lands in trust to create and support a Charter School for the maintenance, clothing, and instruction in the Protestant religion and employing at work four children of the natives of Ireland, and binding them out apprentices to Protestant masters in such place and manner, and at such allowances as Executors or Trustees should order and direct. Said trust not having been carried out, proceedings were taken in the Court of Chancery by the Commissioners of Charitable Donations and Bequests to have said trust carried out <i>ad pro</i> . And by the Order of the Vice-Chancellor of the 4th day of July, 1871, said lands were vested in the Society, upon trust, to apply the rents (after payment of expenses of management and other usual and necessary outgoings) in the maintenance, clothing, and instruction in the Protestant religion of such number of poor boys, not less than four, as the net annual income of the said lands would afford at Ferra Institution, in the county of Wexmouth, belonging to the said Society, or in case of discontinuance of such institution, at some other school, on the list of male boarding schools supported by said Society, to be approved of by the Commissioners of Charitable Donations and Bequests.	466

INCORPORATED SOCIETY—continued

No. VII. (d.)

TABLE showing the NUMBER of PUPILS elected to the various Schools of the Incorporated Society
(exclusive of Santry) from 1876 to 1886, inclusive.

Name of Institution.	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.	1880.	Total.
BOYS.												
Durham,	11	10	10	10	13	12	11	10	10	10	10	111
Foscho, Kibbony,	10	8	10	13	11	12	8	8	10	8	9	101
Farm,	8	8	8	8	14	9	8	8	8	8	9	101
Eastleigh, Addis,	8	8	7	5	5	5	5	8	8	8	8	101
Freemason Grange,	8	4	8	8	6	4	6	4	8	8	4	67
GIRLS.												
Colledge,	8	10	12	10	14	8	7	8	8	8	8	111
Eastleigh, Kibbony,	8	8	8	8	8	7	8	8	8	8	8	111

No. VII (c.)

See Evidence of W. CHAFFIN, p. 58.

ACCOUNT of INCOME and EXPENDITURE, year ending 31st March, 1885.

	\$	a.	c.	\$	a.	c.	\$	a.	c.	\$	a.	c.
To Entries Rental, &c.	6,200	00	10									
Less ordinary charges	3,674	33	34									
				2,525	10	76						
Interest on Drawings Advances				5	0	0						
Dividends, Government Funds Acct.												
Special Funds	322	12	8									
General Funds	3,698	18	13									
				2,667	10	8						
Interest on Deposits	—			5	27	5						
General Fund Account (purchase stock)	—			37	4	2						
				6,422	18	54						
By Treasuries, cont.							6,772	2	8			
Day Schools, cont.							252	28				
Salaries in general							156	10	21			
Attendance							326	14	6			
Establishments							826	10	8			
Transportation Expenses							126	8	0			
Board Charges							12	0	0			
General Fund Account:												
Income Tax Collected							5	0	0			
(For See Audit)							30	30	8			
										2,664	22	11
Existed:												
Less Expenses, Salary, 2188	0	0										
Do., Costs, &c.	16	8	2									
							246	2	2			
School Grants							30	6	0			
Special Expenditures							78	18	6			
										355	11	11
Surplus of Income over Expendi- tures										1,285	5	44
										6,022	18	54

FREDERICK A. WHITTON, Auditor.
1st May, 1884.

WELLSLEY P. CHAPMAN, *Book Review*

No. VII. (f)

HAVE FUND at 31st March. 1885

1906. March 31st.	Reserve Fund as at 31st March, 1903,	£ 1,000 0 0	£ 1,000 0 0
	Made up as follows, viz.:—		
	In Bank of Ireland to credit of Current Account,	£2,745 18 8	
	Do. Deposit Account,	428 0 0	
		<hr/>	
	Less due to Steady Creditors,	6,140 38 8	
		887 11 2	
	Due by Secretary on foot of Cash Account,		8,187 3 8
	Do. Land Agent on foot of Cash Account,		131 16 12
	Advances to Tenants outstanding,		270 2 8
	Arrears due by Tenants as at 1st November 1894,		88 28 0
	Amount invested in Government Stock,		1,936 38 74
	Income Tax repayable,		1,956 35 8
			887 35 0
	Less Amount of "Levings Fund" as at 31st March, 1903,	6,988 8 70	
		280 20 11	
			£ 8,840 19 4

FREDERICK A. WHITTON, Auditor.
1st May, 1886.

WILLIAM P. CHAPMAN, Registrar.

ERASMUS SMITH'S SCHOOLS.

No. VIII. (a.)

Referred to in Evidence of the VICE-CHANCELLOR, p. 101, *et seq.*

GENERAL SUMMARY OF RENTAL OF LANDS comprised in this ENDOWMENT.

County, Barony, and Poor Law Union in which Lands are situated.	Description.	Tenant's Name.	How held.	Cult. Days.	Area of Holding, Statute Measure.	Poor Law Valuation.	Yearly Rent.	Amount of Rents (£ s. d.).
—	County Tipperary Lands.	—	—	—	A. R. P.	£ s. d.	£ s. d.	£ s. d.
—	County Thurrock Lands.	—	—	—	4,325 3 15	1,557 15 0	4,364 15 4	4,364 15 15
—	King's County Lands.	—	—	—	415 2 22	—	22 1 2	42 12 1
—	County Westmorland Lands.	—	—	—	245 0 1	218 15 0	430 7 4	430 7 4
—	County Galway Lands.	—	—	—	2,145 2 58	—	4,094 15 7	5,172 0 8
—	County Sligo Lands.	—	—	—	2,125 0 34	420 1 0	420 2 8	220 0 0
—	—	—	—	—	—	—	5,165 13 7	6,729 16 1

CITY OF DUBLIN FREEWILL.

County of the City of Dublin, Parish of St. Mark, South Dublin Union.	House and Premises, Greek Exchange - at Nos. 42a, 42b, 42c, and 42d.	Joseph Clarke, Esq., Merchant, Cash, Skirring, Grogg & Money.	Free-term Grant, Free-term Grant, Free-term Grant, Free-term Grant.	5th, 6th, and 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211th, 212th, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 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1008th, 1009th, 1010th, 1011st, 1012nd, 1013th, 1014th, 1015th, 1016th, 1017th, 1018th, 1019th, 1020th, 1021st, 1022nd, 1023rd, 1024th, 1025th, 1026th, 1027th, 1028th, 1029th, 1030th, 1031st, 1032nd, 1033rd, 1034th, 1035th, 1036th, 1037th, 1038th, 1039th, 1040th, 1041st, 1042nd, 1043rd, 1044th, 1045th, 1046th, 1047th, 1048th, 1049th, 1050th, 1051st, 1052nd, 1053rd, 1054th, 1055th, 1056th, 1057th, 1058th, 1059th, 1060th, 1061st, 1062nd, 1063rd, 1064th, 1065th, 1066th, 1067th, 1068th, 1069th, 1070th, 1071st, 1072nd, 1073rd, 1074th, 1075th, 1076th, 1077th, 1078th, 1079th, 1080th, 1081st, 1082nd, 1083rd, 1084th, 1085th, 1086th, 1087th, 1088th, 1089th, 1090th, 1091st, 1092nd, 1093rd, 1094th, 1095th, 1096th, 1097th, 1098th, 1099th, 1100th, 1101st, 1102nd, 1103rd, 1104th, 1105th, 1106th, 1107th, 1108th, 1109th, 1110th, 1111st, 1112nd, 1113th, 1114th, 1115th, 1116th, 1117th, 1118th, 1119th, 1120th, 1121st, 1122nd, 1123rd, 1124th, 1125th, 1126th, 1127th, 1128th, 1129th, 1130th, 1131st, 1132nd, 1133rd, 1134th, 1135th, 1136th, 1137th, 1138th, 1139th, 1140th, 1141st, 1142nd, 1143rd, 1144th, 1145th, 1146th, 1147th, 1148th, 1149th, 1150th, 1151st, 1152nd, 1153rd, 1154th, 1155th, 1156th, 1157th, 1158th, 1159th, 1160th, 1161st, 1162nd, 1163rd, 1164th, 1165th, 1166th, 1167th, 1168th, 1169th, 1170th, 1171st, 1172nd, 1173rd, 1174th, 1175th, 1176th, 1177th, 1178th, 1179th, 1180th, 1181st, 1182nd, 1183rd, 1184th, 1185th, 1186th, 1187th, 1188th, 1189th, 1190th, 1191st, 1192nd, 1193rd, 1194th, 1195th, 1196th, 1197th, 1198th, 1199th, 1200th, 1201st, 1202nd, 1203rd, 1204th, 1205th, 1206th, 1207th, 1208th, 1209th, 1210th, 1211st, 1212nd, 1213th, 1214th, 1215th, 1216th, 1217th, 1218th, 1219th, 1220th, 1221st, 1222nd, 1223rd, 1224th, 1225th, 1226th, 1227th, 1228th, 1229th, 1230th, 1231st, 1232nd, 1233rd, 1234th, 1235th, 1236th, 1237th, 1238th, 1239th, 1240th, 1241st, 1242nd, 1243rd, 1244th, 1245th, 1246th, 1247th, 1248th, 1249th, 1250th, 1251st, 1252nd, 1253rd, 1254th, 1255th, 1256th, 1257th, 1258th, 1259th, 1260th, 1261st, 1262nd, 1263rd, 1264th, 1265th, 1266th, 1267th, 1268th, 1269th, 1270th, 1271st, 1272nd, 1273rd, 1274th, 1275th, 1276th, 1277th, 1278th, 1279th, 1280th, 1281st, 1282nd, 1283rd, 1284th, 1285th, 1286th, 1287th, 1288th, 1289th, 1290th, 1291st, 1292nd, 1293rd, 1294th, 1295th, 1296th, 1297th, 1298th, 1299th, 1300th, 1301st, 1302nd, 1303rd, 1304th, 1305th, 1306th, 1307th, 1308th, 1309th, 1310th, 1311st, 1312nd, 1313th, 1314th, 1315th, 1316th, 1317th, 1318th, 1319th, 1320th, 1321st, 1322nd, 1323rd, 1324th, 1325th, 1326th, 1327th, 1328th, 1329th, 1330th, 1331st, 1332nd, 1333rd, 1334th, 1335th, 1336th, 1337th, 1338th, 1339th, 1340th, 1341st, 1342nd, 1343rd, 1344th, 1345th, 1346th, 1347th, 1348th, 1349th, 1350th, 1351st, 1352nd, 1353rd, 1354th, 1355th, 1356th, 1357th, 1358th, 1359th, 1360th, 1361st, 1362nd, 1363rd, 1364th, 1365th, 1366th, 1367th, 1368th, 1369th, 1370th, 1371st, 1372nd, 1373rd, 1374th, 1375th, 1376th, 1377th, 1378th, 1379th, 1380th, 1381st, 1382nd, 1383rd, 1384th, 1385th, 1386th, 1387th, 1388th, 1389th, 1390th, 1391st, 1392nd, 1393rd, 1394th, 1395th, 1396th, 1397th, 1398th, 1399th, 1400th, 1401st, 1402nd, 1403rd, 1404th, 1405th, 1406th, 1407th, 1408th, 1409th, 1410th, 1411st, 1412nd, 1413th, 1414th, 1415th, 1416th, 1417th, 1418th, 1419th, 1420th, 1421st, 1422nd, 1423rd, 1424th, 1425th, 1426th, 1427th, 1428th, 1429th, 1430th, 1431st, 1432nd, 1433rd, 1434th, 1435th, 1436th, 1437th, 1438th, 1439th, 1440th, 1441st, 1442nd, 1443rd, 1444th, 1445th, 1446th, 1447th, 1448th, 1449th, 1450th, 1451st, 1452nd, 1453rd, 1454th, 1455th, 1456th, 1457th, 1458th, 1459th, 1460th, 1461st, 1462nd, 1463rd, 1464th, 1465th, 1466th, 1467th, 1468th, 1469th, 1470th, 1471st, 1472nd, 1473rd, 1474th, 1475th, 1476th, 1477th, 1478th, 1479th, 1480th, 1481st, 1482nd, 1483rd, 1484th, 1485th, 1486th, 1487th, 1488th, 1489th, 1490th, 1491st, 1492nd, 1493rd, 1494th, 1495th, 1496th, 1497th, 1498th, 1499th, 1500th, 1501st, 1502nd, 1503rd, 1504th, 1505th, 1506th, 1507th, 1508th, 1509th, 1510th, 1511st, 1512nd, 1513th, 1514th, 1515th, 1516th, 1517th, 1518th, 1519th, 1520th, 1521st, 1522nd, 1523rd, 1524th, 1525th, 1526th, 1527th, 1528th, 1529th, 1530th, 1531st, 1532nd, 1533rd, 1534th, 1535th, 1536th, 1537th, 1538th, 1539th, 1540th, 1541st, 1542nd, 1543rd, 1544th, 1545th, 1546th, 1547th, 1548th, 1549th, 1550th, 1551st, 1552nd, 1553rd, 1554th, 1555th, 1556th, 1557th, 1558th, 1559th, 1560th, 1561st, 1562nd, 1563rd, 1564th, 1565th, 1566th, 1567th, 1568th, 1569th, 1570th, 1571st, 1572nd, 1573rd, 1574th, 1575th, 1576th, 1577th, 1578th, 1579th, 1580th, 1581st, 1582nd, 1583rd, 1584th, 1585th, 1586th, 1587th, 1588th, 1589th, 1590th, 1591st, 1592nd, 1593rd, 1594th, 1595th, 1596th, 1597th, 1598th, 1599th, 1600th, 1601st, 1602nd, 1603rd, 1604th, 1605th, 1606th, 1607th, 1608th, 1609th, 1610th, 1611st, 1612nd, 1613th, 1614th, 1615th, 1616th, 1617th, 1618th, 1619th, 1620th, 1621st, 1622nd, 1623rd, 1624th, 1625th, 1626th, 1627th, 1628th, 1629th, 1630th, 1631st, 1632nd, 1633rd, 1634th, 1635th, 1636th, 1637th, 1638th, 1639th, 1640th, 1641st, 1642nd, 1643rd, 1644th, 1645th, 1646th, 1647th, 1648th, 1649th, 1650th, 1651st, 1652nd, 1653rd, 1654th, 1655th, 1656th, 1657th, 1658th, 1659th, 1660th, 1661st, 1662nd, 1663rd, 1664th, 1665th, 1666th, 1667th, 1668th, 1669th, 1670th, 1671st, 1672nd, 1673rd, 1674th, 1675th, 1676th, 1677th, 1678th, 1679th, 1680th, 1681st, 1682nd, 1683rd, 1684th, 1685th, 1686th, 1687th, 1688th, 1689th, 1690th, 1691st, 1692nd, 1693rd, 1694th, 1695th, 1696th, 1697th, 1698th, 1699th, 1700th, 1701st, 1702nd, 1703rd, 1704th, 1705th, 1706th, 1707th, 1708th, 1709th, 1710th, 1711st, 1712nd, 1713th, 1714th, 1715th, 1716th, 1717th, 1718th, 1719th, 1720th, 1721st, 1722nd, 1723rd, 1724th, 1725th, 1726th, 1727th, 1728th, 1729th, 1730th, 1731st, 1732nd, 1733rd, 1734th, 1735th, 1736th, 1737th, 1738th, 1739th, 1740th, 1741st, 1742nd, 1743rd, 1744th, 1745th, 1746th, 1747th, 1748th, 1749th, 1750th, 1751st, 1752nd, 1753rd, 1754th, 1755th, 1756th, 1757th, 1758th, 17
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ERASMUS SMITH'S SCHOOLS—continued.

No. VIII. (b).—continued.

GALWAY.

	Irish Church.	Presby-terian.	Other Prot. Denom.	R.C.	Total.	
Boarders,	48	2	2	2	54	Fees. Boarders.—£64, £25 each for brothers; under 14 years, £3 each each term. Day.—For general course with one language, £2; for each extra language, £1.
Day (paying),	16	2	2	4	24	
Free,	9	1	2	6	18	
	73	5	6	12	96	

ENDOWED FEES.

Boarders, 8 at £64; 2 at £25.

Boarders from various parts of Ireland, Day from town of Galway.

HIGH SCHOOL (DAY SCHOOL).

	Other Relig. Denom.	Irish Church.	Presby-terian.	Other Prot. Denom.	R.C.	Total.	
Paying,	8	100	41	31	2	182	Fees. For quarter, £2; 2s. reduction for brothers. Optional Courses, which are taught free to the Lower Division.
Free,	6	22	6	6	2	32	
	14	122	47	37	4	214	

Classes, 164: French, 74, &c. Latin, Drawing, 106, German, 74, &c.
Average attendance daily this quarter, 120.

BRUNSWICK STREET (DAY SCHOOL).

	Irish Church.	Presby-terian.	Other Prot. Denom.	R.C.	Total.	
Boarders,	0	0	0	0	0	Fees vary from £6 to £14, according to class. A reduction of 10 per cent. on brothers.
Day (paying),	87	2	4	2	95	
Free,	18	0	0	0	18	
	105	2	4	2	113	

ENNIS.

	Irish Church.	Presby-terian.	Other Prot. Denom.	R.C.	Total.	
Boarders,	18	0	0	2	20	Fees. Boarders.—20 Guineas; 4s each for brothers. Day.—£4. French, Latin, and Greek (each) £3 additional.
Day (paying),	18	1	2	1	22	
Free,	1	0	0	0	1	
	37	1	2	3	43	

ENDOWED FEES.

Six Day Boys at half Fees.

No. VIII (d.)—continued

LISTS OF ENGLISH SCHOOLS open in 1879 and 1885—continued?

Schools printed in Italic have been opened since 1879.

1874. School.	Province and County.	1888. School.	1891. School.	Province and County.	1891. School.
	Upper—con.			Upper—con.	
Belshet.	Cowg.	Belshet.	Cumber, Upper.	Leedsbury.	—
Black Lion.	Do.	—	Fingham, West (Male).	Do.	—
Bonnet.	Do.	—	Do.	Do.	—
Montshet.	Dougal.	Bonnet.	Do. ryd. (Male).	Do.	—
Stratford.	Do.	Stratford.	Leedsbury (Female).	Do.	—
	Do.	—	Leedsbury (Male).	Do.	—
Cumber.	Dover.	—	Leedsbury (Female).	Do.	—
Gray Abbey, Mountbarnet	Do.	—	Anglemey (Male).	Tyson.	—
(Male).	Do.	Mountbarnet (Male).	Anglemey (Female).	Do.	—
Gray Abbey, Mountbarnet	Do.	—	Conger, Bellis (Male).	Do.	—
(Female).	Do.	Mountbarnet (Female).	Conger, Bellis (Female).	Do.	—
Kilwood.	Do.	Kilwood.	Dungannon (Male).	Do.	—
Newtownards (Male).	Do.	—	Dungannon (Female).	Do.	—
Newtownards (Female).	Do.	—	Kilbuck (Male).	Do.	—
Saunders.	Do.	—	Coolemore (Male).	Do.	—
Kilmore (Male).	Do.	—	Coolemore (Female).	Do.	—
Kilmore (Female).	Do.	—	Quinn.	Do.	—
Dromperick (Male).	Do.	—			
Dromperick (Female).	Do.	—			
Dromperick.	Do.	—			
Catharrick.	Fermanagh.	—		CONAGH.	
Derrygonny.	Do.	—			
Enniskillen (Male).	Do.	—	Wickham.	Sligo.	—
Enniskillen (Female).	Do.	—			
Enniskillen, Derrygonny	Do.	—	Dromperick, Moyra.	Sligo.	Dromperick.
(Male).	Do.	—			
Townshill.	Do.	Townshill.			
Townshill.	Do.	—			

No. VIII (e.)

EXPENDITURE ON EXHIBITIONS.

GRAMMAR SCHOOLS

Two Statutory Exhibitions of £7 7s. 8d. supplemented to £40, and £25 respectively, are attached to the Four Grammar Schools yearly.

1904, Expenses.		1905, Expenses.		1906, Expenses.	
	\$	c		\$	c
1904, Expenses.	208	8	1905, Expenses.	208	11
1905, Do.	208	12	1906, Do.	207	16
			Total.	623	38

HIGH SCHOOL

One Statutory Exhibition of £7 1s. 8d. supplemented to £30. Attached to High School,
Harcourt-street, near by.

1951, Expenditures, . . .		1952, Expenditures, . . .		1953, Expenditures, . . .	
\$	¢	\$	¢	\$	¢
1951, Do, . . .	—	1952, Do, . . .	90 13 11	1953, Do, . . .	92 18 4
				Total	182 31 5

On Granger School, . . .	$\frac{c}{1,487}$	$\frac{b}{15}$	$\frac{d}{8}$	On High School, . . .	$\frac{c}{155}$	$\frac{b}{8}$	$\frac{d}{8}$	Total for 2 rooms, . . .	$\frac{c}{1,642}$	$\frac{b}{23}$	$\frac{d}{16}$
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No. VIII (2)

STATEMENT of the present number of persons receiving benefit under the trust as
Scholars or otherwise.

SOCIARIES or otherwise.			
Grammar Schools, Masters and Assistant Masters,	18		
Do., Scholars,	217	Register,	1
English Schools, Masters and Mistresses,	41	Accountant,	1
Do., Scholars,	1,459	Inspector,	1
Marconi-street Schools, Masters,	14	Porter,	1
Do., Scholars,	270	Deaf Master,	1
Exhibitors,	13		
King's Hospital, Boys,	30		
		Total No.,	2,000

No. VIII (g.)

EXPENSE of present STAFF of BOARD

Register, Edmund P. Beaman,	£	200	Inspector of English Schools, William H. Endkin,	£	200
Accountant, Edmund Beaman,	150		Perist, Henry Ward,	40	
Inspector of Grammar Schools, Rev. Thomas T. Gray (and Travelling Expenses),	100				

All the foregoing staff hold office during the pleasure of the Governor. No alteration in the above is permitted.

No. VIII. (h.)

APPENDIX B.

See Evidence of VICE-CHANCELLOR, p. 104.

RETURN of NUMBER of MEETINGS of BOARD and STANDING COMMITTEE, and ATTENDANCES of each GOVERNOR, 1881 to 1885, inclusive.

No. of Board Meetings. No. of Standing Committee.		1881.		1882.		1883.		1884.		1885.	
		0 10	0 10	0 10	0 10	0 10	0 10	0 10	0 10	0 10	0 10
1. Rt. Hon. the Treasurer.	S.G.	2	10	2	10	2	10	2	10	2	10
2. The Bishop.		0	0	0	0	0	0	0	0	0	0
3. Archbishop of Dublin.		0	0	0	0	0	0	0	0	0	0
4. The Chancellor.		0	0	0	0	0	0	0	0	0	0
5. The Chief Justice.		0	0	0	0	0	0	0	0	0	0
6. The Chief Justice of the Common Pleas.		0	0	0	0	0	0	0	0	0	0
7. The Chief Baron.		0	0	0	0	0	0	0	0	0	0
8. The Provost.		0	0	0	0	0	0	0	0	0	0
9. Rev. W. G. Green.	S.G.	2	10	2	10	2	10	2	10	2	10
10. Earl of Longford.		1	0	1	0	1	0	1	0	1	0
11. R. F. Fennell, esq., q.c.	S.C.	0	0	0	0	0	0	0	0	0	0
12. A. Loftus, esq.	S.G.	0	0	0	0	0	0	0	0	0	0
13. Bishop of Tuam.		0	0	0	0	0	0	0	0	0	0
14. Lord Ardara.		0	0	0	0	0	0	0	0	0	0
15. Earl of North.		0	0	0	0	0	0	0	0	0	0
16. J. J. Hennessy.		0	0	0	0	0	0	0	0	0	0
17. H. M. Pilkington, esq., q.c.	S.G.	2	5	2	5	2	5	2	5	2	5
18. Earl of Clarendon.		0	0	0	0	0	0	0	0	0	0
19. The V. Nugent, esq.	S.G.	0	0	0	0	0	0	0	0	0	0
20. Judge Harrison.	S.C.	0	0	0	0	0	0	0	0	0	0
21. Sir J. C. Sturt, bart.	S.G.	0	0	0	0	0	0	0	0	0	0
22. Viscount Monck.		0	0	0	0	0	0	0	0	0	0
23. Earl of Rossmore.		0	0	0	0	0	0	0	0	0	0
24. Dean of Chapel Royal.	S.C.	1	1	1	1	1	1	1	1	1	1
25. Rev. R. L. Poole, M.A.	S.G.	0	0	0	0	0	0	0	0	0	0
26. Earl of Howe.		0	0	0	0	0	0	0	0	0	0
27. G. W. Mansell, esq.	S.G.	0	0	0	0	0	0	0	0	0	0
28. Elected June, 1881, and on S. G., Nov., 1882.		0	0	0	0	0	0	0	0	0	0
29. H. P. Jelliff, esq., q.c.	S.G.	0	0	0	0	0	0	0	0	0	0
30. Elected May, 1883, and on S. G., June, 1884.		0	0	0	0	0	0	0	0	0	0
31. The Vice-Provost.	Elected May, 1885.	0	0	0	0	0	0	0	0	0	0
32. Rev. J. Carson, M.A.	Elected May, 1885.	0	0	0	0	0	0	0	0	0	0
33. J. C. Colville, esq.	Elected May, 1885.	0	0	0	0	0	0	0	0	0	0
34. R. H. Clay, esq.	Elected June, 1885.	0	0	0	0	0	0	0	0	0	0
35. Rev. J. Gwynne, M.A.	Elected March, 1885.	0	0	0	0	0	0	0	0	0	0
36. Gordon H. Poole, esq.	Elected March, 1885.	0	0	0	0	0	0	0	0	0	0
37. T. F. Colson, esq.		0	0	0	0	0	0	0	0	0	0

No. VIII. (i.)

LIST of the present GOVERNORS of the SCHOOLS founded by ERASMUS SMITH.

No.	NAME.	No.	NAME.	No.	NAME.
1	The Right Hon. the Vice-Chancellor	11	Anthony Loftus, M.A., D.C.	21	The Dean of the Chapel Royal.
2	(Chancellor and Treasurer)	12	The Bishop of Tuam.	22	Rev. R. L. Poole, M.A., D.C.
3	The Archbishop of Dublin.	13	Lord Ardara.	23	Earl of North.
4	The Lord Chancellor.	14	The Earl of North, M.A.	24	George Woods Mansell.
5	The Chief Justice of the Queen's Bench.	15	Jon Stuart Hamilton.	25	Herbert P. Jelliff, q.c.
6	The Chief Justice of the Common Pleas.	16	H. M. Pilkington, q.c.	26	Rev. Andrew B. Hart, Vice-Provost
7	The Chief Baron of the Exchequer.	17	Thomas V. Nugent.	27	Rev. J. Carson, M.A.
8	The Provost of Trinity College.	18	Rev. Judge Harrison.	28	James C. Colville.
9	Rev. William G. Green.	19	Sir J. Colbert Sturt, bart.	29	Samuel H. Clay.
10	The Earl of Longford, q.c.	20	Viscount Monck.	30	Rev. J. Gwynne, M.A.
31	Edward Fennell, q.c.	21	Earl of Rossmore.	31	Gordon H. Poole, M.A.
		22		32	T. F. Colson, M.A.

No. VIII. (k.)

ANNUAL PAYMENT to TRINITY COLLEGE by the GOVERNORS of the SCHOOLS founded by ERASMUS SMITH, Esq.

One Year, to 1st May, 1885.

One year's Official Salaries.	£	s.	d.
Twenty First Class Exhibitions, at 27 1/2 3s.	147	18	4
Second Second Class do., at 25 1/2 3s.	63	5	0
Grand Total.	638	4	4
Less Income Tax.	15	11	5
Net Total.	622	12	11

The foregoing shows the amounts paid to Trinity College for one year. The sums paid each year never vary save to a very trifling amount, and have practically amounted to the same annual amount since the date of the Act authorising these payments.

No. VIII. (L)

See Evidence of VICE-CHANCELLOR, pp. 102, 111.

INCOME AND EXPENDITURE with BALANCE SHEET, for one Year ending 1st May, 1880.

EXPENDITURE.				INCOME.			
1879.		1880.		1879.		1880.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
876 18 1	Trinity College,	896 18 4		2,000 0 0	Southern Estates,	2,000 0 0	
30 18 3	Christ's Hospital,	37 15 4		2,500 2 6	Western Estates,	2,500 2 6	
603 37 6	King's Hospital,	663 34 4		21 2 11	Dublin Property,	20 12 1	
4,194 4 1	Grammar Schools, (Grants),	4,202 18 8		459 2 4	(New account) Government Stock,	459 2 4	
304 28 8	(£ 450 to, of, Register),	304 28 8		17 10 8	Dividends to April, 1880,	17 10 8	
2,445 14 12	Inspection of Grammar Schools,	2,416 18 8		2 0 0	Archie Town Commissioners,	2 0 0	
466 18 0	Inspection of English Schools,	466 18 0			(Subscriptions from Corporation of		
376 16 8	Great Brunswick-street School,	371 0 0			Douglas,		
170 12 7	Harcourt-street School,	170 12 7		1,344 10 2	By Stock for excess of Expenditure	1,344 10 2	
417 10 10	Governess' House, 45, Mount-st.,	397 15 0			over Income this year,		
625 0 0	Office Salaries and Annuities,	625 0 0					
94 8 11	Incidental,	70 8 10					
270 18 4	(Transferred to Cr. of Treasurer's	268 17 8					
	Foundry Fees,						
11 10 8		5,400 0 0		1,870 10 2		5,400 0 0	

BALANCE.				CONTRA.			
1879.		1880.		1879.		1880.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
	Bank of Ireland,	400 0 0			Lord Keshmish's Charity,	400 0 0	
	Government Stock, our Account,	14,000 0 0			Southern Estates,	459 2 4	
	Government Stock Account, Lord	896 18 11			Western Estates,	459 2 4	
	Keshmish's Charity,	870 0 1			Dublin Property,	459 2 4	
	Edward Gurney, Suspense Account,	0 0 0			Land purchased by Railways, &c.,	61 10 8	
	Walter Horn, Agent, Western Estates,	463 7 0			Southern Estates (Keshmish's Agency),	459 2 4	
	Walter Horn, Agent, Dublin Prop-	0 0 0			Rev. George Pennecook's Endowment Loan,	61 10 8	
	erty,	0 0 0			Treasurer's Foundry Fees,	1,344 10 2	
	Commissioners of Drainage,	171 0 10 1/2			Intermediate Education, Small Fees,	70 8 10	
	Registrar,	0 0 0			Stock for Capital due Net Capital exclusive of Value	1,344 10 2	
		14,810 18 10 1/2					

Examined and found correct.

July 2nd, 1880.

THOMAS VERNY HUGHES,
WM. DODGES LA FOUCHÉ.

No. VIII. (m.)

See Evidence, p. 102.

INCOME AND EXPENDITURE with BALANCE SHEET, for one Year ending 1st May, 1881.

EXPENDITURE.				INCOME.			
1880.		1881.		1881.		1881.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
880 31 0	Trinity College,	896 18 4		2,000 0 0	Southern Estates,	2,000 0 0	
37 38 4	Christ's Hospital,	37 15 4		2,500 2 6	Western Estates,	2,500 2 6	
603 34 4	King's Hospital,	663 34 4		21 2 11	Dublin Property,	20 12 1	
4,194 18 2	Grammar Schools,	4,202 18 8		17 10 8	(New account) Government Stock,	17 10 8	
3,016 18 2	English Schools,	3,016 18 2		470 3 4	Dividends to April, 1881,	470 3 4	
370 12 1	Great Brunswick-street School,	371 0 0		704 2 10	Archie Town Commissioners,	704 2 10	
270 12 1	Harcourt-street School,	270 12 1			By Stock for Balance, being excess		
417 10 10	Governess' House, 45, Mount-st.,	397 15 0			of Expenditure over Income these		
625 0 0	Inspection of Grammar Schools,	625 0 0			18 months,	1,400 17 10 1/2	
94 8 11	Inspection of English Schools,	94 8 11					
270 18 4	Office Salaries and Annuities,	270 18 4					
	Law Costs,	70 8 10					
	Purchase of Government Stock, re	270 18 4					
	Insurances of English Schools,	70 8 10					
	Incidental,	70 8 10					
	Transferred to credit of Treasurer's	268 17 8					
	Foundry Fees,	268 17 8					
5,410 0 0		5,410 0 0		5,410 0 0		5,410 0 0	

BALANCE.				CONTRA.			
1880.		1881.		1881.		1881.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
	Bank of Ireland,	1,400 0 0			Southern Estates,	1,400 0 0	
	Government Stock, our Account,	14,000 0 0			Western Estates,	1,400 0 0	
	Government Stock Account, Lord	896 18 11			Dublin Property,	459 2 4	
	Keshmish's Charity,	870 0 1			Land purchased by Railways, &c.,	61 10 8	
	Edward Gurney, Suspense Account,	0 0 0			Southern Estates (Keshmish's Agency),	459 2 4	
	Walter Horn, Agent, Western Estates,	463 7 0			Rev. George Pennecook's Endowment Loan,	61 10 8	
	Walter Horn, Agent, Dublin Prop-	0 0 0			Small Fees (Intermediate Education),	70 8 10	
	erty,	0 0 0			Lord Keshmish's Charity,	400 0 0	
	Commissioners of Drainage as to Im-	171 0 10 1/2			Board of Public Works,	1,344 10 2	
	provement of Land (1880),	0 0 0			Insurance Fund, re English Schools,	70 8 10	
	Land Improvement Loans (1880),	1,344 10 2			Registrar,	1,344 10 2	
	O. J. Keshmish, Agent to Western	0 0 0			Stock for Net Capital exclusive of Estates,	1,344 10 2	
	Estates,	0 0 0			Treasurer's Foundry Fees,	268 17 8	
	Comau-Inheritance Fund, re English	70 8 10					
	Schools,	70 8 10					
		17,100 0 0					

We have examined the above accounts with the vouchers and checked them with the ledger, which we have seen, and the total we have also checked, and we find that the expenditure has exceeded the income by £1,617 17s. 11d., and the stock is distributed by that amount.

Dublin, 16th February, 1881.

THOMAS VERNY HUGHES,
GEORGE WOODS MATHESON.

No. VIII. (n.)

See Evidence, p. 102.

INCOME AND EXPENDITURE WITH BALANCE SHEET, for one Year ending 1st May, 1983

[illegible][illegible]

We have examined the above schedule with the vouchers and checked them with the ledger, which we have seen, and the bills we have audited, and we find that the expenditure has exceeded the income by \$2,790 44 cts.; the sum of \$11,299 14 cts. had been donated by the Western Assoc., which is not included in the income account, and remains lying in his credit in the books.

W. DICKES E.A. TOWNE
THOMAS VIKT NOENT

623 July, 1987

No. VIII (o.)

See Evidence, p. 102.

INCOME and EXPENDITURE with BALANCE SHEET, for one Year ending 1st May, 1883.

EXPENDITURE.		INCOME.	
1882.	1883.	1882.	1883.
£ s. d.	£ s. d.	£ s. d.	£ s. d.
242 9 11	Trinity College,	9,374 0 3	Brotham Estate,
47 12 1	Unst's Hospital,	9,250 10 350	Wentworth Estate,
272 14 8	King's Hospital,	22 10 8	Dunelm Property,
1,100 7 1	Grammar School,	570 10 1	Arles Town Commissioners,
4,694 17 0	English School,		New Threap per Cent. Government Stock for two half-year Dividends to April, 1883,
278 28 3	Marner-street School,		581 5 9
126 10 0	Improvement of Grammar Schools,		
448 10 0	Do. English School,	9,300 0 2 1/2	Stock for balance of excess of ex- penditure over income for months ending 30 Mar., 1883,
411 7 10	Grammar School, 46, Unaccommodated, Office Building,	9 12 8	Sarah Gougheson's Legacy,
412 0 0	Law costs,		
0 0 0	Purchase of Council of Insurance Fund, E.S.,		
85 0 0	Indemnity,		
78 34 4 1/2	Transferred to Co. of Treasurer's Fondage Fund,		
340 4 0	Great Brunswick-street School,		
177 2 8	To Stock, for excess of income over Expenditure, 12 months to 31st May, 1883,		
7,950 0 5 1/2		7,937 0 4 1/2	5,936 17 1/2

No. VIII. (c)—continued.

INCOME AND EXPENDITURE with BALANCE SHEET, for one Year ending 1st May, 1883
continued.

[illegible]

We have examined the above accounts with the vouchers, and checked them with the ledger, we have also checked the total, and we find that the income has exceeded the expenditures by \$279 in 1914.

July 1st, 1937.

THOMAS VERNI NUGENT,
H. M. FILKINGTON.

No. VIII (p.)

See Evidence, p. 109.

INCOME and EXPENDITURE with BALANCE SHEET, for one Year ending 1st May, 1884

[illegible]

BALANCE.				CONTRA.		CR.	
	#	\$	c.		#	\$	c.
Bank of Ireland.	—	728	13 7	Southern Estates,	—	279	16 0
Greenwich Bank, our Account,	12,175 36 7	31,168	28 3	Do., Rogers's Agency,	—	8	10 0
Do. Acct. Lord Keshmole's Charity,	288 18 11	872	8 1	Messrs. Robbans, Agents in Western States,	—	5	31 8
Edward Selwyn, Dispenser's Legacy,	128 7 1	128	7 1	Land purchased by Sullivan, &c.,	—	4,153	4 0
Consolidation of Exchange (1841),	—	50	7 8	Rev. Geo. Fawcett's Drainage Loan,	—	81	26 8
Land Improvement Loans (1843),	—	596	9 14	Intermediate Education, Result Fees,	—	20	14 0
Cash, re Insurance Fund,	—	1,473	7 2	Lord Keshmole's Charity,	—	580	9 0
Deposits Account,	—	187	6 0	Duch Schomberg's Legacy,	—	128	7 1
Miller & Spence,	—	2,004	0 0	Board of Public Works,	—	1,071	6 8
		36,004	0 0	Treasurer Fox L. English School,	—	3,882	5 0
				Treasurer's Founding Fees,	—	6,478	0 8
				Registrar,	—	8	0 8
				Stock, Not Nat Capital, exclusive of Estates,	—	2,888	16 78
		37,108	6 14			15,193	8 28

We have expanded the above accounts with the expenses, and checked them with the ledger, we have also checked the total, and verified that the income has exceeded the expenditures by \$1,300.00.

2004 July 1986

THOMAS VIKT MICHENE
B. M. FILLINGTON

No. VIII. (q)

See Evidence, p. 102.

APPENDIX B.

INCOME and EXPENDITURE with BALANCE SHEET, for One Year ending 1st May, 1885.

EXPENDITURE.				INCOME.			
To.		1885.		To.		1885.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
Last Year, 1st May 1, 1884.		1885.		Last year, 1st May 1, 1884.		1885.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
107 0 0	Trinity College,	400 30 4		6,681 34 9	Southern Edition,	1,068 9 4	
87 0 0	Christ's Hospital,	97 30 4		4,450 11 0	Western Edition,	1,548 8 8	
1,007 0 0	King's Hospital,	458 8 4		42 1 0	Dublin Property,	42 1 0	
541 17 8	Grammar Schools,	2,610 17 7		413 11 8	New Three per Cent. Government	162 0 0	
1,170 10 11	English Schools,	3,610 4 3			Stock, for two Half-per-cent Divi-		
112 2 0	Harrold Street Schools,	100 0 0		1 10 0	dividends to April, 1885,	7 9 10	
228 0 7	Great Brunswick Street Schools,	319 19 8			Interest on Deposit Receipts,	7 9 10	
110 4 30	Inspection of Grammar Schools,	327 18 4					
180 4 0	Inspection of English Schools,	402 12 8					
140 1 11	Governors' House, 40, Harrold Street,	200 0 0					
140 1 2	Office Salaries,	444 10 8					
20 0 0	Perkins of Council, 20, Harrold Street,	20 0 0					
—	Fund, English Schools,						
	Law Costs,	0 0 0					
10 19 1	Incidental,	51 8 0					
6,598 7 10		7,512 0 0					
102 19 7		200 0 0					
6,496 7 7	Transferred to credit of Treasurer's	7,312 0 0					
1,110 4 8	Foundings Fund,	7,312 0 0					
6,408 11 4	To Credit of Stock for excess of In-	—					
	come over Expenditure last year,	7,312 0 0		1,000 11 8		7,312 0 0	
		7,312 0 0					
BALANCE.		1885.		CONTRA.		1885.	
To.		£ s. d.		To.		£ s. d.	
£ s. d.		£ s. d.		£ s. d.		£ s. d.	
Bank of Ireland,	12,150 18 7	12,150 18 7		Southern Edition,	1,068 9 4		
Government New Three per Cent.	305 18 11	879 8 1		Western Edition,	1,548 8 8		
Stock, per Account,	128 7 1	138 7 1		42 1 0	Dublin Property,	42 1 0	
Do. Account, Lord Kesh's Office,	—	1,002 10 2		413 11 8	New Three per Cent. Government	162 0 0	
Do. Account, South Devonshire's	100 11 8	107 1 8			Stock, for two Half-per-cent Divi-		
Land Improvement Loans (1860),	—	0,000 0 0			dividends to April, 1885,	7 9 10	
Grants, for Insurance Fund, English	—	19 8 10			Interest on Deposit Receipts,	7 9 10	
Schools,	—	0 0 0					
Export Account, Bank of Ireland,	—	0 0 0					
Thomas Sanders, Agent, Southern	—	0 13 2					
Editor,	—	0 13 2					
Thomas Sanders, Agent, Western	—	0 13 2					
Editor,	—	0 13 2					
English,	—	0 13 2					
		12,150 18 7					
		12,150 18 7					

We have examined the above accounts with the vouchers, and checked them with the ledger, we have also checked the list, and we find that the expenditure has exceeded the income by £10 2s. 9d.

1st July, 1885.

THOMAS VRENT SUGENT.
H. M. FILLINGTON.

No. VIII. (r.)

Referred to in Mr. ANDERSON's statement, p. 288.

LETTER written to ERASMUS SMITH, Esq.

June 7th, 1881.

SIR,—We have received a letter from you dated the 8th Sept. last, wherein you give us notice that you have lately made a conveyance to Christ's Hospital in London, of a moiety of the overplus of the profits of the lands, wherewith we are entrusted managing after all the charitable use and public payments already thereupon shall be discharged. And we have also the copy of the said conveyance which you sent over, whereupon some doubts did arise amongst us concerning the validity thereof, and whether you had the power left in you to dispose of any part of the profits of those lands to any charitable use out of this Kingdom. The consideration whereof we referred to Mr. Solicitor-General who both returned unto us a state of the whole matter under his hand (a copy whereof we herewith send you), whereby we are induced to believe that the conveyance made by you doth not oblige us to pay a moiety of those remaining profits to the said hospital at London. And indeed we do not apprehend how there can be any such profits of those lands now remaining after all charitable use and public payments thereupon are discharged as you seem thereby to have intended to convey, where there are so many of those uses for which choice lands were at first settled, as yet wholly unsatisfied for, the profits hitherto having not been sufficient for allowing any such exhibitions to poor

scholars in the College here, or for placing out apprentices or clothing of poor scholars in the schools erected by you as were intended, and which we conceive ourselves entrusted to see performed. And therefore till we shall be better satisfied we conceive that we cannot be faithful to the trusts reposed in us, if we should consent that any of the profits of these lands should go to the uses mentioned in that conveyance, and we are confident that you will not desire to free us when you shall have considered of the enclosed paper, and how these lands are already settled, and that you will be as unwilling as we, that any of the profits thereof should be diverted to other uses than you designed them for when you first so freely and charitably disposed of them. We shall add no more at present, but remain sir, your affectionate friends.

(Signed),

MICHAEL ARMAGE.

ERASMUS SMITH, Treas-
urer,
NANCY'S MANE,
JOSEPH ALLEN,
HARRISON BAKER,
JOHN COSSILL,
JOHN SMITH,
LANSFORD.

HER. MEDGERS,
LANSFORD,
WM. DAVIS,
JOHN KEATING,
HENRY GLICK,
RICHARD REYNOLDS,
ROSE SHAPCOTT.

To ERASMUS SMITH, Esq.

To accompany Sir John Temple's draft.

No VIII. (S.)

Referred to in Mr. ANDERSON'S statement, p. 259.

LETTER OF ERASMUS SMITH, Esq., in reply to Letter of June 7th.

London, August 6th, 1681.

MY LORDS AND GENTLEMEN,—Having considered your letter of the 7th June last, and advised upon the state of the case therewith sent me, as drawn by Mr. Solicitor-General, though I have the greatest regard for his worth and parts, yet finding counsel here differ from him in opinion, I hope it will not be taken amiss that I now repeat my desire for the perfection of the further charity by me intended for Christ's Hospital. What my counsel here have observed upon the case results in this. That it is considered the Bill transmitted (whereon Mr. Solicitor lays the stress of his argument) is out-of-doors, since the corporation is erected pursuant to the certificate and letters patent, which declare the particular trusts and uses the said letters patent being the Explanatory Act confirmed and discharged of all demands other than what are reserved in the same letters patent. As so that clause which seems to confirm the said transmitted Bill it can admit of no other reasonable construction, taking it together, than to secure the lands therein mentioned from some proceedings of the Court of Claims to which the heads of other adventurers were liable by the said Act, if it were otherwise, and that the Bill transmitted since the passing

the Explanatory Act were of such force as Mr. Solicitor-General would seem to have it, what would the subsequent certificate and letters patent. I am sure that it was not without advice that they were procured and obtained, and that at no small charge. That there is a surplussage of the revenue beyond what the certificate and letters patent provide for is evident by the rent-roll and accounts transmitted hither, and it is as clear that the letters patent, which now have the force of an Act of Parliament, have provided for with further charitable uses and trusts as shall be by me desired without limitation of persons or place, and upon creation of the Corporation shall be expressed and declared.

Therefore, my lords and gentlemen, you knowing my intentions formerly, and that now it is not in my power to reverse anything that is past, it being not now my concern but the hospital, I once more on the behalf of the Governors of Christ's Hospital, and those public uses mentioned, humbly desiring your concurrence therein, and do remain, my lords and gentlemen,

Your most humble servant,

ERASMUS SMITH.

No VIII. (t.)

Referred to in statement of Mr. GARRON, p. 269, et seq.

DEED OF TRUST.

THIS INSTRUMENT made the 1st day of December in the year of Our Lord God 1637 between ERASMUS SMITH of London Esq. of the one part and HENRY JONES Doctor in Divinity SAMUEL WINTER Doctor in Divinity THOMAS HARRISON Doctor in Divinity HENRY WOOLTON SAMUEL MATHER ROBERT CHAMBERS Clerks WILLIAM BASSEL Esq. His Highness Attorney-General of Ireland JOHN BYSS Esq. Recorder of the City of Dublin THOMAS HERRISON Esq. Clerks of the Council of Ireland Colonel JEROME LANCKERY Colonel JOHN BRIDGES Major ANTHONY MORGAN EDWARD ROBERTS Esq. Auditor-General of Ireland JAMES STANDISH Esq. Receiver-General of Ireland DANIEL HUTCHINSON JOHN PRESTON RICHARD TYGH and THOMAS HOOKE Aldermen of the City of Dublin on the other part WHEREAS most of the aires which in former times have remained in this Nation have proceeded chiefly of lack of the bringing up of the youth of this Realm either in public or private Schools whereby through good discipline they might be in Literature and good manners and so learn to loath those heinous and manifold offences which when they come to years did daily perpetrate and commit. NOW THIS INSTRUMENT WITNESSETH that the said ERASMUS SMITH for the speciall trust and confidence that the said ERASMUS SMITH hath and reposeth in the said HENRY JONES SAMUEL WINTER THOMAS HARRISON THOMAS WOOLTON SAMUEL MATHER ROBERT CHAMBERS WILLIAM BASSEL JOHN BYSS THOMAS HERBERT JEROME LANCKERY JOHN BRIDGES ANTHONY MORGAN EDWARD ROBERTS JAMES STANDISH DANIEL HUTCHINSON JOHN PRESTON RICHARD TYGH and THOMAS HOOKE their heirs and assigns and are the great and ardent desire which he hath that the poor children inhabiting upon any part of his lands in Ireland as hereinafter in and by these presents is expressed should be brought up in the fear of God and good literature and to speak the English tongue, and for other good ends in and by these presents hereafter declared hath for the reasons and considerations aforesaid and in consideration of the sum of 5s sterling to him paid by the said HENRY JONES SAMUEL WINTER THOMAS HARRISON HENRY WOOLTON

SAMUEL MATHER ROBERT CHAMBERS WILLIAM BASSEL JOHN BYSS THOMAS HERBERT JEROME LANCKERY JOHN BRIDGES ANTHONY MORGAN EDWARD ROBERTS JAMES STANDISH DANIEL HUTCHINSON JOHN PRESTON RICHARD TYGH and THOMAS HOOKE 403a. and 1a. profitable land plantation measure in and near the town and lands of Athlone in the county of Rosecommon now in the possession of the said ERASMUS SMITH and his undertenant 1467 acres of profitable land plantation measure in the Isles of Arron now also in the possession of the said ERASMUS SMITH and his undertenant and 1011a. and 1a. of profitable land plantation measure in or near the town and lands of Galway in the county of Galway excepting 4a. and 1a. near adjoining on the said town of Galway and marked (O) and also about 2 roods adjoining on the said town of Galway marked No. (1) as in the books of the Reforme and Plot appearing in the Surveyor-General's Office which 1011a. and 1a. lye in the county of Galway and the county of the town of Galway or both either of these now in the possession of the said ERASMUS SMITH and his undertenant. The particulars whereof do appear likewise in the plot thereof remaining in the Surveyor's office with all logs woods barren mountains and other unprofitable lands thereto allotted out in and allowed. To have and to hold all and singular the before mentioned premises with their and every of their rights members and appurtenances therunto belonging unto the said HENRY JONES SAMUEL WINTER THOMAS HARRISON HENRY WOOLTON SAMUEL MATHER ROBERT CHAMBERS WILLIAM BASSEL JOHN BYSS THOMAS HERBERT JEROME LANCKERY JOHN BRIDGES ANTHONY

Morgan Edward Roberts James Standish Daniel Hutchinson John Preston Richard Tygh and Thomas Hooks their heirs and assigns for ever. To the use of the said Erasmus Smith for and during the term and time of one hundred and forty years to begin from the day of May next ensuing the date hereof. Yielding and paying for and out of the same £800 sterling current and lawful money of and in England on the 1st of November and the 1st of May yearly during the said term free quit and discharged of all manner of contributions assesses and charges whatsoever or within sixty days after each of the said days of payment by even and equal portions. And of the reversion of the premises together with the said rent to the proper use and behoof of them their heirs and assigns. But yet in trust and confidence that the said Henry Jones Samuel Winter Thomas Harrison Henry Wootton Samuel Mather Robert Chambers William Basil John Byne Thomas Herbert James Lanckey John Bridges Anthony Morgan Edward Robert James Standish Daniel Hutchinson John Preston Richard Tygh and Thomas Hooks their heirs and assigns and the survivors and survivor of them shall stand seized of all and singular the premises to the purpose and intents hereafter mentioned that is to say—To the intent and purpose that out of the rents and profits of the premises the said Trustees their heirs and assigns and the survivors or survivor of them and his heirs shall in case the said Erasmus Smith do it not procure and defray the charge of passing an Act of Parliament for the settling of the said lands and premises according to the true intent and meaning of these presents or otherwise to obtain license from His Highness the Lord Protector under the Great Seal of England for incorporating themselves in succession and to retain the said lands and premises to them and their successors notwithstanding the Statute of Mortmain to the use hereafter to be expressed. And after the said Act shall be passed or license so obtained as aforesaid and also before the intent that out of the annual profits of the premises the said Trustees and the survivors or survivor of them and his heirs or the said Corporation and their successors shall cause five school-houses for the teaching of grammar and the original tongue and to write read and cast accounts to be built in the places following (viz.) One in the town of Sligo. One other school upon the said Erasmus Smith's lands about Galway. One other school upon his lands in the Barony of Clonwilliam in the County of Tipperary. One other school upon his lands in the Barony of Dunbrake in the County of Antrim. Another where his lands that are deficient (which is £3700) shall be fixed. And it is the intent that the said Trustees their heirs and assigns shall pay and allow out of the rents issues and profits of the premises the sum of £40 sterling and not under to one Schoolmaster and so to every one of the said five Schoolmasters for teaching the poor inhabiting on the premises to read write and cast accounts and grammar as they shall be found capable without any other allowance for disburse. But the said yearly stipend in every of the said five schools the sum of £40 by the year yearly during his or their continuance in the said employment on the 1st of November and the 1st of May yearly or within sixty days after every of the said days at their house and where the Schoolmasters shall be settled. And to the further intent that out of the surpluses of the said rents and profits there be allowed to the Clerk or Register attending the said Trustees a yearly sum of money not exceeding Twenty Nobles at most during the continuance of the Lease of forty-years years limited by these presents to the said Erasmus Smith. And when the rents shall increase the said allowance not to exceed £10 and payable at the days aforesaid during his the said Register's continuance in the said employment. Provided always and it is the intention of the parties to these presents that notwithstanding these presents or anything therein contained the said Erasmus Smith may assign the

said Lease unto whom he shall think fit. And that the said Donees in trust shall accept of such Assignee or Assignees to be their tenants and that the said Erasmus Smith his executors administrators and assigns shall be no way impeached or troubled for or concerning the same. The said Erasmus Smith or his Assignee or Lessee delivering a true and exact rent roll of the said lands to the said Trustees and their heirs or the said Corporation and their successors conveying the lands of the under tenants and of the utmost value of rent and other customs which they pay out of the premises with the number of acres which each under tenant doth enjoy with the timber rents and duties payable thereout at four several times during the continuance of the said Lease of forty-years when it shall be demanded of the said Lessee or Lessees which rent roll so often as required to be fairly entered by the Register in their books of entries to which rent roll the Trustees in looking the premises or any part thereof are to have respect unto. And the intentions of all parties to these presents is that the children of the poor tenants inhabiting on the lands aforesaid and the children of such as are poor or freed by their labour are to be taught at the said schools free and without paying anything for their teaching to the said Masters. And that such of the said tenants on the said lands their children as shall be made fit for the University or Trinity College near Dublin shall have out of the remainder of the said rents and profits of the said premises (as far as they will reach) the former charge first discharged towards their maintenance the sum of £10 by the year for each of the said children as fitted for the first four years that such person shall be admitted into the said College of Dublin. Provided that in the first place the children of the tenants and inhabitants of the said land and other the lands of the said Erasmus Smith and his heirs in Ireland to be first provided for and after them such as shall be educated in the said schools being poor and for want of such for the relief of such other poor scholars as in the judgment of the said Trustees their heirs and assigns (provided that there be no fewer than seven of them to consult about the premises or of the said Corporation and their successors) shall be held fit to receive the same. Provided always that the two latter sort of poor shall give place to the former as they shall grow up and be fit to be entered in the said College or University and that no one poor scholar (to be maintained in the University or Trinity College aforesaid) shall receive out of the profits of the premises above £10 sterling by the year and not to continue longer than four years after their respective enterings into the said College or University. And that it shall be lawful for the said Trustees their heirs and assigns and the survivor and survivors of them or the major part of them and the said Corporation and their successors to remove the said Schoolmasters and every of them from time to time for inefficiency neglect scandal or regnary. And that the said Trustees and the survivors of them their heirs or assigns or the major part of them or the said Corporation and their successors shall meet twice every year in some convenient place and agree about the management of the said trust. And shall have power to extend out of the rents and profits of the said lands and premises for two dinners on the said two days of meeting for themselves forty shillings for each dinner and no more. And the said Erasmus Smith doth further declare that if after the expiration or other determination of the Lease to be made by the said Erasmus Smith the said lands and premises shall exceed the sum of £300 by the year being let at the best value that then the surpluses of the said rents and profits to be employed for the maintenance of five schools now to be rected where the Trustees shall judge most meet on any part of the said Erasmus his lands and premises in Ireland for teaching speaking and reading the English tongue. And that each Master or Mistress employed therein shall not exceed a yearly salary of £10 sterling by the year.

APPENDIX B.

And the intent of all parties to these presents is hereby further declared to be that if after the determination or expiration of the said forty-one years the number of such scholars as aforesaid resorting to the said schools or either of them and that the income of the rents and profits of the premises will bear the charge thereof then and there shall be lawful for the said Trustees their heirs or assigns or the said Corporation when it shall be erected and their successors to establish settle and have in so many of the said schools as shall be furnished with scholars as aforesaid one Usher or under Teacher to assist the Master during his continuance in the said employment shall receive yearly such salary out of the increase of the rents and profits of the premises and by the said Trustees their heirs or assigns or the said Corporation and their successors shall be thought fit not exceeding £20 by the year. And it is further declared to be the intent of all parties to these presents that if any of the lands and premises before mentioned shall be evicted or so incumbered as that the same shall not be enjoyed by the said Trustees or their heirs or shall be evicted and other lands shall be repossessed that then the said schools shall be removed from the lands so evicted to some such other part of the lands and premises before mentioned or to the lands that shall be given or set out to the said Trustees their heirs or assigns or to the said Corporation and their successors where the said Trustees or Corporation aforesaid shall think most fit or meet for the good of the Nation provided it be upon some of the said Erasmus Smith's lands. And it is further declared to be the intention of all parties to these presents that no pension or maintenance shall be allowed unto any under the name of a student to be maintained by these presents before such time as the said several five school-houses be built and Schoolmasters settled in every one of them and that in the meantime the rents issues and profits of the premises are to be laid up in bank to provide for the settling of the premises either by the Act of Parliament or by license as aforesaid and for defraying of the charges and expenses thereof. And of the charges of all suits to be commenced by or against the said Trustees or Corporation concerning the said lands and premises or concerning any incumbrance thereupon or upon any part or parcel thereof and for the granting of receipts for any of the said lands evicted or incumbered as aforesaid. And to that end it is by these presents agreed upon that the said Trustees their heirs and assigns and the said Corporation and their successors shall of themselves make and appoint one of themselves to the Treasurer to receive disburse and issue the said rents and profits yearly who shall yearly account for his receipts and disbursements before the said Trustees or any seven of them or such persons as the said Corporation shall yearly appoint. And that the said Treasurer be yearly chosen and account yearly as aforesaid. And that the said accounts of receipts disbursements and other disbursements be yearly fairly expressed and entered by the Clerk or Register aforesaid and that the same and all other things agreed upon by the said Trustees and Corporation may constantly be put in writing in books fairly to be writ and kept for that purpose (a duplicate of which to be sent the said Erasmus Smith or his heirs or the Master and Wardens of the Grocers Company in London once in three years). And that any man that will may come and have a view of them without paying anything for the same. Provided always and it is the intent of the said parties that it shall be in the power of the said Erasmus to appoint any other place or places for settling the said schools in provided the said appointment be made known unto the said Trustees or Corporation before the school-houses shall be built at the places aforesaid saving unto the said Erasmus Smith and his heirs all copies of hawkers great and small which are or shall be for ever hereafter in the Isles of Arran aforesaid which are to be delivered to him or his agent at Dublin when they

shall be reasonably demanded by him or his heirs. Also saving unto the said Erasmus Smith and his heirs liberty of digging cutting potholing and carrying away of stone out of the marble quarries of any part of the premises in the Isles of Arran aforesaid with free access and regress for carts and cart-horses and men and all other necessary means for carrying of the stones away so to be digged as aforesaid. Provided always that the said Erasmus Smith or his heirs shall have the nomination or approbation of the first five Schoolmasters to be settled and maintained by the rents and profits aforesaid. And that the said Erasmus Smith and his heirs and the Master and Wardens of Grocers Company in London shall have to them and their successors the power of nominating and appointing owners or visitors of these erections and schools to see that the said school-houses so erected also Schoolmasters settled and their stipends paid according to the true meaning and intent of these presents to that end to transmit a copy of their proceedings when it shall be required to the Master and Wardens at Grocers Hall London. And on default thereof to cause the same to be rectified and the intention of the said Erasmus Smith concerning the premises to be duly and aptly observed. It is further by these presents declared to be the intention of all parties thereto that the said Schoolmasters to be settled as aforesaid to be obliged twice every day to pray with such scholars as he or they shall respectively teach. And that he or they shall punish such of the said scholars as from time to time shall (without good cause) be absent from the said exercise of prayer. And that the said Schoolmasters respectively shall likewise catechise his or their said scholars once every week on some week-day in the catechism published and set forth by the Assembly of Divines which catechism the said Trustees are out of the said rents to provide for the said scholars whose parents are poor and inhabitants on the premises as aforesaid. And shall also every Lord's Day catechise them or some of them in the presence of the rest and expound to them the said catechism or some part thereof which he shall do publicly as well as for the benefit of the said scholars as for the instruction of all others as shall desire to be present at that exercise in the school-houses or in the church and that the said Schoolmasters respectively shall be bound to observe such other instruction as the said Trustees their heirs or assigns or Corporation shall enjoin him or them for the better ordering and managing of the said school or schools during his or their continuance therein. Provided also that if within the space of five years the said Trustees either by death or removal out of this Nation or refusing to act in the premises shall not appear to be eight in number that then the said Trustees or so many of them as shall be then living as aforesaid (if there be not in the mean time a Corporation erected in which the said lands shall be settled) shall resort to the Lord Chancellor Lord Keeper or other the Commissioner or Commissioners of the Great Seal of Ireland for the time being or for want of or in default of such officer or officers to either of the Chief Justices of the two Bench or to the Lord Chief Baron of His Highness's Exchequer in Ireland and to present unto them the names of such persons to whom they intend to convey the premises for supporting the trusts aforesaid to be by them approved of. And that the persons whose names shall be so presented shall be at least twenty in number which or any twelve of them being approved of in manner as aforesaid by the persons aforesaid the said surviving Trustees shall convey all and singular the premises to the said parties as to be approved of and their heirs and assigns. To the use of them and to the former surviving Trustees and their heirs in confidence and trust and to and for the performance of the intents and purposes in and by these presents expressed and to no other use or uses whatsoever. And it is hereby further declared to be the intent

intent and meaning of all parties to these presents that neither the said Trustees their heirs or assigns nor the said Corporation shall make any demise or grant of the premises or any part thereof until the said lease to the said Erasmus Smith be determined by effluxion of time or otherwise and that the said Trustees their heirs or assigns shall not directly or indirectly take any demise or grant of the premises or any part thereof either in their own names or the names of any other in trust for them as long or during such time as they shall continue Trustees and if that they do that then upon due proof to be made thereof the said lease and leases grant and grants shall cease and become void. Provided always that if the parties by these presents their heirs or assigns shall not within the space of seven years next ensuing the date hereof procure a license to be granted under His Highnesses Great Seal of England or else procure an Act of Parliament to be made for incorporating of themselves to be a Corporation in perpetual succession and capable to receive the lands and premises to them and successors to the uses aforesaid that then it shall be lawful for the said Erasmus Smith and his heirs into all and singular the premises to re-enter and the same to have again and repossess as in his former right anything in these presents contained to the contrary in anywise notwithstanding. In Witness whereof the said parties to these present Indentures have interchangeably set

their hands and seals the day and year first above written. APPENDIX B.

Signed Sealed and Delivered in the presence of us by the within-named Erasmus Smith after the interlining of these words following viz. (John Bridges) six times (or both or either of them now in the possession of the said Erasmus and his under-tenants) between the seventeenth and eighteenth lines the word (Trinity) twice (part) between the thirtieth and thirty-first lines.

ERASMUS SMITH.
(Seal.)

B. WOLSTEN
P. O. FROST
E. W. HARRINGTON
RICH. CHAFFELL.

Enrolled in the Office of the Rolls of His Highness Court of Chancery in Ireland the 10th day of March, 1637, and examined by me.

Ed. WALLIS Clerk of the Rolls.

Acknowledged before me the 16th of January, 1637.

FRED. LORTER.

No. VIII. (u.)

Referred to in Evidence of VICE-CHANCELLOR, p. 104, et seq.

SCHEME for the FUTURE GOVERNMENT and MANAGEMENT of the EDUCATIONAL ENDOWMENTS now vested in the GOVERNORS of the SCHOOLS founded by ERASMUS SMITH, Esquire.

Recital of Patent of Charles II.

Whereas, by Letters Patent, dated the 30th day of March, in the twenty-first year of the reign of His Majesty King Charles the Second, and duly enrolled in the High Court of Chancery in Ireland on the 10th December in the twenty-second year of said reign, power was given unto Erasmus Smith, his heirs, executors, administrators, and assigns, to found and establish three Free Grammar Schools, one in the town of Drogheda, another in the town of Galway or suburbs, and a third in the town of Tipperary, and by the said Letters Patent it was provided that the said Erasmus Smith during his life, and after his decease the Governors of the said schools for the time being, and their successors, should have full power from time to time and at all times thereafter to place therein such numbers of poor children and scholars, not exceeding the number of twenty of the said scholars (besides the tenants' children of the said Erasmus Smith, his heirs, executors or assigns, who were not to be limited to any number) as to the said Erasmus Smith, during his life, and after his decease to the Governors for the time being and their successors should seem convenient.

And likewise that there should be three learned, able, and sufficient persons to be Schoolmasters of each and every of the said Free Schools, and three other able and sufficient persons to be Ushers thereof respectively, to teach and instruct the said children in grammar, so as no such Usher shall be appointed in any school where the number of the scholars should not exceed forty; and likewise that the Schoolmasters and Ushers should instruct the children in their respective schools to write and cast accounts, and as far as the children should be able should teach and instruct them in the Latin, Greek, and Hebrew tongues, and fit them for the University (if the same should be desired); and likewise that the said Free Schools should from thenceforth, for ever thereafter, be, remain, continue and be connected, employed and used for Free Schools, for the teaching and instructing of twenty such poor children or scholars who should

dwell or inhabit within two English miles of the said respective schools, and also for the teaching and instructing of all and every of the children of the tenants of the said Erasmus Smith, his heirs, executors, or assigns, at what distance soever from the said Schools the said tenants should dwell or inhabit, and by the said Letters Patent it was declared that the persons thereafter named should for ever thereafter be incorporated, named and called by the name of the Governors of the Schools founded by Erasmus Smith, Esquire, and thirty-two persons therein named were appointed to be the first Governors of the said Schools, and they and their successors to be appointed and elected as therein mentioned were duly incorporated, and by the name of the Governors of the Schools founded by Erasmus Smith, Esquire, and under that name of incorporation were empowered to purchase, take, hold, receive, enjoy, and have, to them and their successors for ever, as well goods and chattels as manors, lands, tenements, rents, reversions, annuities, and hereditaments, and to sue and be sued, implead and be impleaded, to answer and be answered unto, in all manner of courts and places in Ireland, or elsewhere, and they and their successors were declared entitled to have and enjoy for ever a common seal, which should be engraven and circumscribed with the words "We are faithful to our trust"; with power from time to time to change such common seal and to cause any new or other common seal to be made so as the same be still engraven and circumscribed as aforesaid. And by the said Letters Patent certain powers of leasing the several manors, lands, tenements, then or thereafter to be vested in the Governors were given to them.

And it was thereby ordained, granted, and appointed that when any of the Governors should depart this life, or be removed from his or their place, the residue of the said Governors and their successors should continue incorporate, and that it should be lawful for the rest of the Governors, or the greater number of them then met and assembled for that purpose, to elect, nominate, and appoint one or more meet

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person, or persons, into the room and place of any such Governor who should depart this life or be removed, which person or persons so nominated and appointed should be reputed, and taken from the time of his or their election, to be from thenceforth, together with the others, Governors of the said Schools, and after this manner to proceed whosoever and as often as need should require, and the same election to be made within six months after that any of the said Governors should depart this life or be removed.

And power was thereby given to the Governors to appoint Schoolmasters, Ushers, Scholars, Officer or Officers for the said Free Schools, and to visit, order, punish, or depose the Schoolmasters, Ushers, and Scholars, Members, and Officers of said Schools; and it was thereby provided that every Schoolmaster and Usher should be approved of by the Archbishop or Bishop of the Diocese wherein they were to live, if they should willingly subscribe the two first Canons of the Church of Ireland agreed on in the 10th year of King Charles I., and by the said Letters Patent, the said Erasmus Smith, in his lifetime, and after his death the Governors for the time being, were authorized to make such rules, statutes, and ordinances for the rule, government, and well ordering of the said Schools and Schoolmasters, Ushers, and Scholars for the time being as to him or them should seem meet, so as the same were not repugnant to the Prerogative Royal of the Sovereign, nor contrary to the rules and statutes of the Kingdom of Ireland, nor to any ecclesiastical canons or constitutions of the Church of Ireland then in force.

And the said Letters Patent approved of and set forth contain rules, orders, and constitutions to the end that the good and pious intentions of the said Erasmus Smith might in all things be preserved as much as possible, and which included amongst others a direction that the masters should duly, once every week on each Lord's day, catechise their scholars, and for that purpose should make use of the Catechism set out by Archbishop Usher, Lord Primate of Ireland, and should expend some time in expounding some part thereof to them.

And the said Letters Patent contained provisions for the application of the rents and revenues of the lands and tenements vested in the said Governors.

Recital of Act 10 Geo. I.

And whereas, by an Act passed in the tenth year of the reign of George I., entitled an Act for the further application of the rents and profits of the lands and tenements formerly given by Erasmus Smith, Esquire, deceased, for charitable uses, it was enacted that from and after the first day of May, in the year of Our Lord 1724, there should be three new Fellowships established and continued for ever in Trinity College, near Dublin, and that the Provost and Senior Fellows of the said College for the time being, should elect and appoint such persons to such vacant Fellowships out of the Scholars, Members, or Students of the said College as they should judge best qualified for the same, at such time and in such manner as other Junior Fellows of said College, by the laws or statutes thereof, were elected and appointed, and every person who should at any time thereafter be chosen a Fellow of the said College in pursuance of the Act, should be paid the yearly sum of £33 6s. 8d. out of the surplus rents of the said lands and tenements formerly given by Erasmus Smith, Esquire, for charitable uses, during the time of his continuing a Junior Fellow thereof, and that there be founded, established, and continued for ever in the said College two public Lecturers (that is to say) one of Greek and History, and the other of Natural and Experimental Philosophy, and to be selected and approved of as therein mentioned, and to continue public Lecturers in the said College for such time only as the said Governors of the said schools should by instrument under their common seal for that purpose limit and appoint; and that the

yearly sum of £35, clear of all charges and deduction, should for ever thereafter be paid out of the surplus rents and profits of the said lands and tenements to every person who should be chosen and approved a Lecturer pursuant to the Act, by half-yearly payments, during the time of his continuing a Lecturer as aforesaid; and the said Act contained a provision that, whosoever and as often as any Scholar, Student, or Member of the said College, to whom any pension or exhibition should be payable out of the lands or tenements set apart by the said Erasmus Smith as aforesaid, should stand candidate for any of the Lectureships thereby established and created, such Scholar, Student, or Member being equally fit and qualified with any other person or persons at the same time standing candidate or candidates for the same, should at all times thereafter be preferred in such election, nomination and appointment before any other person whatsoever.

And it was thereby further enacted that the twenty several yearly pensions or exhibitions of £5 a year, and the fifteen several pensions or exhibitions of £3 a year of the then currency of Ireland, therein mentioned to have been paid out of the said lands to poor Scholars of the said College should, from time to time and at all times thereafter, be paid and payable out of the rents and profits of the said lands and tenements to the like number of Scholars, Members, or Students of the said College respectively, until they should be otherwise provided for, removed, or take the Degree of Master of Arts in the said College, or should be of standing to take such Master of Arts Degree.

And it was thereby further enacted that a certain agreement theretofore entered into between the said Governors of the Schools founded by Erasmus Smith, Esquire, and the Governors of the Hospital and Free School of King Charles II., Dublin, commonly called the Blue Coat Hospital, should be ratified and confirmed, by which agreement it was amongst other things agreed and provided, that for the considerations therein mentioned, the Governors of the said Blue Coat Hospital should find convenient reception in the said Hospital for any number of boys to be named and placed therein by the Governors of the Schools, not exceeding twenty; to have the same reception, maintenance and clothing, and be in every way under the same regulations as the other boys in said Hospital, and that the Governors of the said Schools for the time being should yearly for ever thereafter pay out of the surplus rents of the lands vested in them to the Governors of the said Blue Coat Hospital, such yearly sum and sums of money for the maintenance of such boys as should by the Governors of the said Schools, pursuant to the aforesaid agreement, be placed in the said Hospital as the Governors of the said Hospital should from time to time *bona fide* yearly lay out and expend for the maintenance of the like number of other boys in the said Hospital, such payments to be made quarterly. And also pay the yearly sum of £5 per annum to the Schoolmaster of the said Hospital for teaching the said boys to read, write, and cast accounts, as the other boys in the said Blue Coat Hospital are taught and instructed; and that if the Governors of the said Schools should at any time appoint any of the said boys by them placed in the said Hospital, as aforesaid, to be instructed in the Mathematics, the said Governors, over and above the payments theretofore appointed to be made, should pay and allow unto the Governors of the said Hospital such sum and sums of money, and after the same rate, for instructing and teaching such boys in the Mathematics as should be paid for instructing other boys in the Mathematics in the said Hospital, and the said Act contained certain provisions for apprenticing the boys from time to time, and to be maintained and educated in the said Hospital when qualified for that purpose. And the said Act contained a provision that the Lord Mayor and Recorder of the city of Dublin for the time being

and two of the Aldermen of the said city, such as the Governors of the said Hospital should from time to time select and appoint, should for ever thereafter be standing Governors of the Schools founded by the said Erasmus Smith, and added to the thirty-two Governors in the said Letters Patent mentioned. And it was further enacted that the Treasurer and three other of the Governors of the said Schools for the time being, such as the said Governors of the said Schools should from time to time choose and appoint, should be and were thereby declared to be standing Governors, and added to the Governors of the said Blue Coat Hospital. And it was thereby further enacted that if at any time thereafter the rents, revenues, or profits of the said lands and tenements so set apart by the said Erasmus Smith should happen to increase or be raised to better or greater value than they then yielded, or if any part of the then yearly rents of the said lands should be and remain in the hands of the Treasurer or the Governors of the said Schools, over and above the annual payments, charges, and expenses thereof, or by this Act now in recital, appointed to be made out of the said lands, that then it should be lawful for the Governors of the said Schools for the time being, from time to time for ever thereafter, to apply and dispose of the residue and overplus of the said yearly rents for or towards some public work or use in the said College or Hospital, in putting out poor children to school or apprenticeship, or in setting up and founding one or more English school or schools in any place or places in this kingdom as the Governors of the said Schools for the time being should think most proper and convenient. And whereas by the Act for the Regulation of Municipal Corporations in Ireland it is enacted that after the said Act should come into operation in the city of Dublin, which has long since taken place, so much of the said Act of Parliament passed in the tenth year of the reign of King George I., as provides that the Lord Mayor and Recorder of the city of Dublin then and for the time being, and two of the Aldermen of the said city such as the Governors of the Schools founded by Erasmus Smith, Esquire, should from time to time select and appoint, should for ever thereafter be standing Governors of the said Schools, should be and the same was thereby repealed, and that four of the Governors for the time being of the said Hospital and Free School of King Charles II., such as the Governors of the said Schools founded by Erasmus Smith, should from time to time select and appoint, should for ever thereafter be standing Governors of the said Schools founded by Erasmus Smith. And whereas in or about the year 1773 the Governors of the said Schools founded and established a fourth Grammar School at Kinn, subject to the same rules and regulations as were then in force with reference to the said original three Grammar Schools founded by said Erasmus Smith, which school still continues. And whereas by further Letters Patent dated 27th July, in the fourth year of the reign of His Majesty King William IV., and duly enrolled in the High Court of Chancery in Ireland on the 5th August, 1838, the said Letters Patent of the 19th day of December, in the twenty-second year of the reign of King Charles II., hereinbefore mentioned, were confirmed save so far as the same, or any of the provisions thereof were thereby altered, and the then Governors of the said Schools were again incorporated and declared to have a perpetual succession for ever in deed, fact, and name, and to be one body, politic and corporate, named and called by the name of "The Governors of the Schools founded by Erasmus Smith, Esquire." And the said Letters Patent contained a proviso that so often and whenever any one or more of the Governors should depart this life, or be removed from his or their place or places of Governor or Governors of the said Schools, that then and so often it should be lawful for the remaining Governors or say five or more of them, next and assembled for that purpose, to elect, nominate, choose, and appoint

one or more meet and proper person or persons in the room and place or places of every such Governor or Governors who should so depart this life or be removed, which person or persons so nominated, elected, and chosen should be reported and taken from the time of his election, to be from thenceforth together with the other Governors of the said Schools, and said Letters Patent also contained a proviso for the appointment of a Treasurer and his continuance in office, and for his accounting to the Governors of the said Schools for his receipts and disbursements. And also a provision giving to the Governors and their successors full power and authority to declare and order that the allowance theretofore provided for the Treasurer of 6d. for every 30s. on all such rents as should be received by him for the benefit of such Schools should be discontinued, and cease in future to be made, and that the said sum of 6d. in the pound on all rents received for the benefit of such Schools should be set apart and form a fund by the name of "The Treasurer's Pounds," and be applied in such manner as the said Governors and their successors should from time to time direct and appoint of and concerning the same. And the said Letters Patent contained certain provisions as to leasing any part or parts of the lands vested in the Governors, situate in or near a market town. And also certain provisions as to the appointment of masters in said Schools, and as to five or more of the Governors having full power and authority to do all corporate acts whatever. And whereas the said allowance provided for the Treasurer was discontinued by the Governor, and the said sum of 6d. in the pound on all rents received was applied by them for several years to the maintenance of a number of additional boys in the King's Hospital, but was not set apart in the Governors' accounts until the time hereinafter mentioned. And whereas in pursuance of the provisions of said Act, 10 George First, the Governors of said Schools have, from time to time, set up and founded certain English Schools in different localities in Ireland, several of which have, however, been lately discontinued by the Governors, but of which forty-three are now in existence, the names of which are set forth in the schedule hereto annexed. And whereas the Governors in the year 1870 established and founded the High School, Harcourt-street, in which a much higher class of education is given than in the ordinary English schools, and the same includes all the different subjects of instruction now taught in the Grammar Schools of the Governors. And whereas by a resolution of the Governors, dated the 11th June, 1868, it was resolved that in accordance with the provisions of the said Charter of the Fourth of William IV., the Treasurer's pounds should till further order be applied, with other funds provided for the purpose, by the Governors to the expenses of a classical department in the said School in Harcourt-street, but there has not been need to resort thereto for that purpose. And whereas it was in the year 1881 resolved by the said Governors that a sum of £950, portion of said fund, should be applied to the providing additional class rooms in said school. And whereas in pursuance of a resolution of the Governors, dated the 30th December, 1872, a separate account has since that time been kept in the Governors' books of the said Treasurer's pounds, and on the 1st May, 1884, there was standing to the credit of the said separate account the sum of £2,719 11s. 10d., invested in Government new 3 per cent. stock, and forming part of the general account of said stock in the names of the Governors. And whereas in one other school of the Governors held in the Governors' School House, in Great Brunswick-street, in the City of Dublin, a course of education intermediate between that afforded in said High School, and that afforded in the ordinary English schools of the Governors, including a superior education in commercial subjects, is given. And whereas the said High School, Harcourt-street, and

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the said School in Great Brunswick-street have been found to be very useful and the same ought to be maintained and continued. And whereas the educational endowments vested in the Governors of the Schools founded by Erasmus Smith, Esquire, now consist of certain estates in the counties of Limerick, Tipperary, Sligo, Galway, Westmeath, and King's County, and the County of the town of Galway, and the County of the city of Dublin, and of certain Government stock now standing in the names of the said Governors. And whereas the Commissioners under the Educational Endowments (Ireland) Act, 1885, consider that it is advisable that a scheme for the future government and management of such Educational Endowments should be settled accordingly. The following shall be the scheme for such government and management:—

No. 1. The present Governors of the Schools, namely:—The Right Honorable Hedger Eyre Chatterton, Vice-Chancellor of Ireland; the Right Honorable and Most Reverend William Conwayham, Baron Plunket, Lord Archbishop of Dublin; the Lord Chancellor of Ireland; the Chief Justice of the Queen's Bench Division; the Chief Justice of the Common Pleas Division; The Chief Baron of the Exchequer Division of the High Court of Justice in Ireland; the Reverend John H. Jelliffe, M.A., Provost of Trinity College, Dublin; the Reverend William C. Green; the Right Honorable William Lygon, Earl of Leinster; Edward Parnesfether, Esq., Q.C.; Anthony Lefroy, Esq., M.A.; the Honorable and Right Reverend Charles Broderick Bernard, Lord Bishop of Tuam; The Right Honorable Arthur Edward, Baron Ardilaun; the Right Honorable William, Earl of Meath; Sir Trant Hamilton, Esq.; Henry Melick Pilkington, Esq., Q.C.; the Right Honorable James John Henry, Earl of Courtown; Thomas Vesey Nugent, Esq.; the Honorable Mr. Justice Harrison; Sir J. Calvert Stronge, Bart.; The Right Honorable Charles Stanley, Lord Viscount Monck; the Right Honorable Somerset Richard, Earl of Balmora; the Very Reverend Hercules Henry Dickinson, M.A.; the Reverend H. R. Poole; the Right Honorable Laurence, Earl of Ross; George Woods Mansell, Esq., M.A.; Herbert Poole Jelliffe, Esq., Q.C.; Sir Andrew Scoble Hart, Knt.; the Rev. J. Carson, M.A.; James Chalmers Colville, Esq.; Samuel H. Close, Esq.; the Reverend J. Gwynne, M.A.; Gordon E. Touche, Esq., and F. P. Oulana, Esq., and their successors, to be appointed as hereinafter mentioned, shall continue to be one corporation or body politic to have continuance for ever by their present name of The Governors of the Schools founded by Erasmus Smith, Esquire, hereinafter called the Governors, and the above named persons shall continue to be incorporated and to have perpetual succession by the same name, and by the same name to sue and be sued, plead and be pleaded, answer and be answered unto, and in all courts and places whatsoever of Her Majesty the Queen, and her heirs and successors, in all suits, plaints, and demands whatsoever, and they shall continue to have a common seal engraved and circumscribed with these words, "We are faithful to our trust," and it shall be lawful for them and their successors to break and alter or renew the said seal.

No. 2. The several persons who shall hereafter fill the following offices in the Church of Ireland shall, during their continuance in such offices respectively, be ex-officio members of the said corporation, that is to say:—The Archbishop of the Diocese of Armagh, Primate and Metropolitan of all Ireland, and the Archbishop of the United Diocese of Dublin and Glendalough, Primate of Ireland.

No. 3. The successors in office of the following Governors respectively, that is to say:—The Lord Chancellor of Ireland, the Lord Chief Justice of Ireland, the Lord Chief Justice of the Common Pleas Division, and the Lord Chief Baron of the Exchequer Division of the High Court of Justice in Ireland, and the Provost of Trinity College,

Dublin, shall not become or be ex-officio members of the said corporation, and on any of the said Governors who now fill the said offices respectively ceasing to fill the same, they shall thereupon cease to be members of the said corporation, and thereupon or in the event of any of them otherwise ceasing to be a member or members of the said corporation, their places, as such, shall not be filled up, and the total number of the Governors shall thereupon from time to time be reduced accordingly.

No. 4. Vacancies which shall occur amongst the Governors other than ex-officio Governors, and those elected from the Governors of the King's Hospital under the statutes heretofore recited, shall be filled only by the election of one new Governor for every two of such vacancies until the whole number of Governors, including the ex-officio Governors and those so elected from the Governors of the King's Hospital, shall be reduced to twenty-five, and upon such reduction the total number of Governors, including as aforesaid, shall thenceforth for ever be and continue to be twenty-five.

No. 5. Subject to the provisions heretofore contained, upon any vacancy occurring amongst the Governors, others than the ex-officio Governors and those elected from the Governors of the King's Hospital, it shall be lawful for the remaining Governors, at a meeting duly summoned for such purpose, to elect a fit and proper person, being a member of the Church of Ireland, in the place of every such Governor whose place shall have so become vacant, which person so elected by the said Governors shall become and be from the time of his election a member of the said Corporation and a Governor of said Schools; and it shall be lawful for the Governors so from time to time to proceed whenever and as often as occasion shall require. The election of Governors from the Governors of the King's Hospital shall, as and when vacancies occur among them, continue to take place and be made in manner provided by the said statutes in that behalf, but no Governor shall be so elected who is not a member of the Church of Ireland.

No. 6. If any of the Governors shall go to reside permanently abroad, or become incapable of acting as a Governor, or become bankrupt, or cease to be a member of the Church of Ireland, or shall send in his resignation in writing to the Governors, and such resignation shall be accepted, every such person shall thereupon be removed from being a Governor of the said schools. If any of the elected Governors shall without sufficient cause be allowed by the Governors absent himself from the meetings of the said corporation during the space of one year, such absence shall be a good cause of removal. It shall be lawful for the other Governors in any of such cases by resolution passed at a meeting of the Governors duly summoned for such purpose to remove such person from being a Governor, and to declare his place to be vacant, and at a subsequent meeting duly summoned for such purpose to proceed to the election of another Governor in the place of him so removed.

No. 7. Any five or more of the Governors met and assembled at a meeting duly summoned, shall have full power and authority to do and transact all matters and things relative to the said schools in said Letters Patent, or herein mentioned, or relative to any other schools by them established, or to be established, or to the estates or funds entrusted to the said Governors, and generally to do all corporate acts whatsoever as fully and effectually as if all the said Governors and their successors, or the greater number of them, were personally present.

No. 8. The Governors shall continue to hold all lands, tenements, and hereditaments now vested in them, and shall have power to acquire and hold other lands, tenements, and hereditaments of and from any person or persons as they may think necessary.

No. 9. The Governors may receive for the use of the said corporation, or for any purpose connected therewith, any money, goods, or chattels that may be

given or bequeathed to them by any person or body capable of making a gift or bequest thereof.

No. 10. The Governors may from time to time sell all or any of the lands, tenements, and hereditaments now vested in them or which may thereafter be vested in them, and the mines and minerals under all or any of the same premises, together with, or separate from, the surface, with sufficient power for working and carrying away the same, or to grant any easements, rights, liberties, privileges, or conveniences in, out of, or upon the same premises or any of them. The Governors may sell and premises or any of them in or more lots by public auction, or private contract, or under the provisions of the Act to Facilitate the Sale and Transfer of Land in Ireland, or of the Purchase of Land Ireland Act, 1855, or of any Acts continuing or amending same, and upon every such sale they shall have power, in any conditions of or contract for sale, to make any stipulations as to title, evidence, indemnity, or mode of paying the purchase money or otherwise, and to buy in all or any of the same premises, and to rescind or vary any contract for sale without being answerable for loss, and they may execute and do all such assurances and things as they may think fit for effectuating such sale.

No. 11. The Governors shall invest the moneys to arise from such sale or sales, and may invest all other moneys of the corporation in their hands from time to time not required for current expenses, in and upon any of the public stocks or funds of the United Kingdom, or of India, or of any Colony or Dependency of the United Kingdom, or in Bank of Ireland or Bank of England Stock, or East India Stock, or in or upon the securities of the debentures, bonds, or mortgages, or debenture shares or stock of any municipal body, or of any public company incorporated for the purpose of carrying on, and then actually carrying on, business in the United Kingdom, or the Colonies, or India, and paying or dividing a dividend or profit upon their ordinary shares, capital, or stock, for not less than three years next preceding such investment; and shall have power from time to time to vary such investments for others of a like nature, and shall apply the annual interest and income of any investment of the proceeds of the sale of lands to and for the same purposes which the rents and profits of the premises so sold were applicable, and no other.

No. 12. The Governors shall have power to make leases of all or any part or parts of the lands, tenements, and hereditaments now or hereafter to be vested in them for such term as such a rent and such restrictions, conditions, and provisions, and in all respects according to the provisions of any statute or statutes now in force in Ireland or hereafter to be passed amending same, regulating the making of leases by the Governors or other charitable corporations.

No. 13. The Governors shall assemble and meet together six times at the least in every year, at such times as shall be appointed for the purpose by the Treasurer, and such meetings shall be held at their Boardroom in Harcourt-street, in the city of Dublin, or in such other place as they shall from time to time fix or determine.

No. 14. The Standing Committee of the Governors shall continue as at present for such purposes and with such powers as now committed to it by the Governors, but subject to such changes as it may from time to time seem fit to the Governors to make in respect thereof. The Governors shall also have power from time to time to appoint special or other Committees of their members, consisting of not less than five of the Governors, for the performance of such duties as may be delegated to them. The quorum of Committees and the mode of conducting business at Committee meetings shall be regulated by the Governors from time to time.

No. 15. Minute Books, in which all the proceedings of the Board of Governors, and also of any Committees appointed by them, shall be entered and recorded, shall continue to be kept as heretofore, or in such other

manner as the Governors shall from time to time appoint.

No. 16. The Governors, at a meeting duly summoned for the purpose, shall once in each and every year, or oftener if occasion shall require, meet together at their Boardroom, in Harcourt-street, or in such other place as they shall appoint, on a day to be by them appointed for that purpose, and shall nominate, elect, and choose one honest, able, and discreet person, being one of the Governors, to be their Treasurer for the year next ensuing the day of such election, or for such longer period as may be necessary to enable the said Governors or their successors conveniently to meet for the purpose of electing a Treasurer in his room. The same person may be re-elected Treasurer by the Governors from year to year. In case any vacancy in the office of Treasurer shall happen, by death or otherwise, before the expiration of any such period of office, the Governors shall, as soon as conveniently may be, proceed in like manner to elect another of the Governors to be Treasurer for the remaining portion of said period. The Right Hon. Hedges Eyre Chatterton, Vice-Chancellor of Ireland, shall continue to be the Treasurer for the current year.

No. 17. The Treasurer for the time being shall be the Chairman of the said Board of Governors, and shall, if present, preside at all meetings of the Board and of any Committee thereof of which he shall be a member. In the absence of the Treasurer, the senior of the Governors present, according to the time of election, shall be Chairman of such meeting.

No. 18. The Treasurer shall have power from time to time, as he shall think necessary, to summon, and on the requisition in writing of five of the Governors, shall summon a special meeting of the Governors. The business to be transacted at such special meeting shall be stated in the summons convening same. Three clear days' notice at the least of the intention to hold such meeting shall be given to each of the Governors.

No. 19. If within half an hour after the time appointed for any meeting of the Governors, a sufficient number of Governors to form a quorum be not present, or if the business at any meeting be not completed, the Governors present may adjourn the meeting to such day or time as they may fix, of which notice shall be given in such manner as the Governors may from time to time appoint.

No. 20. Every question at a meeting shall be determined by the majority of the Governors present, and voting on the question, and in case of equality of votes, the Chairman shall have a second or casting vote.

No. 21. Any resolution of the Governors may be rescinded or varied at a special meeting, held after not less than seven days' notice, which notice shall state the proposal to rescind the same.

No. 22. The Governors may from time to time appoint under their Common Seal a fit person to be Registrar during their pleasure.

No. 23. There shall be paid to such Registrar such yearly salary as the Governors shall determine.

No. 24. The Registrar shall perform such duties, and conform to such rules and regulations as shall from time to time be prescribed by the Governors.

No. 25. The Governors may from time to time appoint an Accountant or Bookkeeper during their pleasure, such appointment shall be made by minute or resolution of the Governors. There shall be paid to such Accountant or Bookkeeper such salary as the Governors shall determine.

No. 26. The Governors may from time to time appoint one or more Agent or Agents to collect the rents of and manage their said estates, and may allow him or them such receivers' fees not exceeding one shilling in the pound, or such salary as they may think expedient, and they may also appoint such Bailiff or Bailiffs, as they may think necessary to assist such Agent or Agents, and at such salaries or wages as they shall think fit.

APPENDIX B

No. 27. The Governors shall continue to cause full accounts to be kept of the Capital, Income, and Expenditure of the said corporation, vested in, received, and expended by them.

No. 28. The Registrar and Agents, and all and every other, the Officers and persons employed by the Governors in receiving, keeping, paying, and disposing of the moneys, rents, revenues, and other the goods, and treasures, belonging to the said Schools shall yearly, and every year, or oftener, whensoever thereto required by the Governors, make and give up a true and just account of all their receipts, disbursements, balances, and arrears of rent, and of all and every such sum and sums of money, and other the goods and revenues of and belonging to the same schools, as shall have been by them respectively received or disposed of as aforesaid, unto the Governors or any person or persons to be by them nominated, authorized, deputed, and appointed to examine and investigate the same, and the said Governors shall have full power to examine and allow of such Accounts, and thereupon to give final discharge thereof, if required.

No. 29. The Governors and Company of the Bank of Ireland shall continue to be the Bankers of the Governors. An account shall be kept, as at present, with the said Bank of Ireland, in the name of "The Governors of the Schools founded by Erasmus Smith, Esq.," and all moneys payable to the Governors, shall from time to time be lodged to the credit of such account. All cheques or drafts on such account shall be signed by three of the Governors.

No. 30. The Governors shall, after defraying the outgoings and expenses of management, and of repairs and improvements, and the annual and other charges, and the burdens and taxes affecting their estates and property, and all salaries and wages payable by them to their officers and servants, apply the balance of their income for the purposes hereinafter set forth.

Grammar Schools.

No. 31. The Governors shall maintain the three Grammar Schools originally established in the several places hereinafter mentioned, that is to say, in the Town of Drogheda, in the Town of Galway, or suburbs, and in the Town of Tipperary, and also subject as is hereinafter provided, the Grammar School established by the Governors in the Town of Ennis—in boarding and day schools for boys.

No. 32. The Governors shall have full power, licence, and lawful authority at their will and pleasure from time to time, and at all times hereafter, to place in said Grammar Schools as free day boys, such numbers of poor children or scholars, not exceeding the number of twenty in each school (besides the tenants' children of the said Erasmus Smith, his heirs, executors, or assigns who are not to be limited to any number) as to the Governors shall seem expedient.

No. 33. The Governors may, if they shall think it expedient so to do, discontinue the said School at Ennis, and cease to maintain same. Provided, however, that they shall not do so except by a resolution passed at a meeting of the Governors duly convened for the purpose. If and when the Governors shall resolve to discontinue the Ennis School they shall be at liberty to sell the school premises and the buildings thereof and the ground connected therewith subject to such conditions and in such manner as they shall deem most expedient, and the provisions hereinafter contained in paragraph 19 shall be applicable to such sale.

No. 34. The Governors shall likewise maintain as a school for day boys the said school known as the High School in Harcourt-street, in the city of Dublin.

No. 35. The Governors may at any time by resolution at a meeting duly convened for the purpose declare that the said High School in Harcourt-street shall thenceforth be a grammar school for day boys upon such terms and with such number of free

boys as the Governors shall from time to time determine.

No. 36. The Governors shall from time to time appoint learned, able, and sufficient persons to be Head Masters of each and every of the said several Schools hereinafter mentioned; such appointments to be under their common seal, and to be during the pleasure of the Governors and their successors. They shall likewise appoint such person or persons as they shall think necessary to be Assistant Masters in each and every of the said Schools; the number of such Assistant Masters to be in their discretion. Such Assistant Masters shall be appointed by the resolution of the Governors, and shall hold their appointments during the pleasure of the said Governors. Provided, however, that the Governors may, if they shall think it expedient so to do, permit the several Head Masters in each of said Schools to select and appoint the Assistant Masters in their several schools so as such selection and appointment be subject to the approval of the Governors.

No. 37. In case the said Governors for the time being shall not within six months after a vacancy shall occur in the office of Head Master in any of the said Schools, appoint a person to such office then and so often, and in every such case it shall be lawful for the Lord Lieutenant or other Chief Governor or Governors of Ireland for the time being, to nominate and appoint a fit and proper person to every such office as shall remain void for the time aforesaid by the default of the said Governors as aforesaid.

No. 38. No person shall be appointed to the office of Head Master or Assistant Master in any of the said Schools unless he be a member of the Church of Ireland, and if any person appointed to any of said offices shall cease to be a member of such Church he shall thereupon be removed from such office.

No. 39. The Governors shall have full power, by resolution of the Board, from time to time, as they shall think just or expedient, for sufficient cause expressed in said resolution, to remove or dismiss any of the said Head Masters or Assistant Masters without any notice or payment in lieu of notice, and shall also have like power to remove or dismiss any of said Head Masters or Assistant Masters without assigning any cause, after giving to any such Head Master six calendar months' notice of their intention so to do, or paying him six calendar months' salary in lieu of such notice, and to any such Assistant Master three calendar months' notice of their intention so to do, or paying him three calendar months' salary in lieu of such notice.

No. 40. Every Head Master, before taking office under this scheme, shall sign and deliver to the Governors a declaration in writing to the following effect:—

I, _____, declare that I am a member of the Church of Ireland, and that I will always, to the best of my ability, discharge the duties of Head Master of _____ School during my tenure of office, and that if I am removed therefrom I will thereupon acquiesce in such removal, and relinquish all claim to the Mastership and its future emoluments, and deliver up to the Governors, or as they direct, possession of all property of the School then in my possession or occupation.

No. 41. The Governors shall from time to time pay to each of said Head Masters and Assistant Masters such annual salary or stipend as they shall think expedient.

No. 42. The Head Masters, Assistant Masters, and Scholars of the said several Schools, and of every of them, shall be allowed, ordered, directed, voted, placed, or displaced by the Governors, or any three of them, to be elected by the said Governors according to such allowances, rules, statutes, and ordinances as shall be appointed, set forth, made, devised, or established by the said Governors for the time being, under their said common seal.

No. 43. No Head Master shall receive fees, or demand from any boy in the School, or from any person

whosoever on behalf of any such boy, any gratuity, fee, or payment, except such as are prescribed and authorized by the Governors.

No. 44. The Governors shall have full power and authority, under their said common seal, to make, ordain, and appoint such rules, statutes, and ordinances for the ruling, government, and well-ordering of the said Schools, and the said Head Masters, Assistants Masters, and Scholars for the time being, as to the said Governors shall seem meet and convenient, and the same orders, rules, statutes, acts, and ordinances so by them to be made, set down, and prescribed as aforesaid, shall be and stand in full force and strength in law to all constructions, intents, and purposes, so as the same be not repugnant to the prerogative royal or contrary to the laws and statutes of the realm, or to any ecclesiastical customs or constitutions of the Church of Ireland which then shall be in force.

No. 45. The Governors shall have full power and authority from time to time to regulate, direct, and appoint the course of education to be adopted and carried out in each of the said schools.

No. 46. The twenty original exhibitions of £8, late Irish currency, equivalent to £7 1s. 8d. sterling, and fifteen original exhibitions of £6, late Irish currency, equivalent to £5 10s. 9d., mentioned in the Act of George the First shall subject as is hereinafter provided, continue to be paid out of the rents and profits of the several lands, tenements, and hereditaments now vested in the Governors to the like number of poor scholars, members or students of Trinity College, in the city of Dublin, until they shall be otherwise provided for or removed, or take the Degree of Master of Arts in the said College, or shall be of standing to take such Master of Arts Degree, provided, however, that no exhibition shall last for a longer period than five years.

No. 47. For the benefit of the four grammar schools at Drogheda, Galway, Tipperary, and Ennis, and the pupils thereof, and for the encouragement of learning therein, one of the said exhibitions of £1 1s. 8d. shall continue to be increased or supplemented each year by an additional grant of £19 12s. 4d. to the sum of £40, which in the event of a student who shall have obtained same being the first in merit of all the competitors from whatever school they shall have entered, the said College may be augmented by the further sum of £10 a year so as to amount to £50 a year in the whole, and one other of said exhibitions shall be increased or supplemented each year by an additional grant of £17 12s. 4d. to the sum of £35.

No. 48. Five of the said statutory exhibitions shall be appropriated to the High School in Harcourt-street, and supplemented to £30 each including the statutory amount.

No. 49. The said several supplemented sums or grants shall be held subject to such rules and regulations and also to such special orders occasioned by special circumstances, as the Governors shall from time to time make in reference to same, and they shall be known and distinguished as "Erasmus Smith's Supplemented Exhibitions."

No. 50. The Governors shall have full power and authority from time to time to increase or diminish the number and amount of said Supplemented Exhibitions, and if, and when their funds will admit of same, to apply a further sum, not exceeding £500 a year, to supplement others of the said Statutory Exhibitions, or to fund new Exhibitions for the like purposes, and also from time to time to vary, alter, and rescind the regulations and conditions under which said several Exhibitions, both Statutory and Supplemented, shall be held and payable, to make new regulations and conditions in respect thereof.

BRUNSWICK-STREET SCHOOL.

No. 51. The Governors shall maintain and keep up the Brunswick-street School, as a Day School for Boys, so long as the same shall in their judgment be useful and of public advantage, with such number of

free boys as they shall from time to time determine and order, and shall from time to time prescribe and regulate the course of education to be adopted in said school. They shall from time to time as vacancies occur, appoint a Head Master, and such Assistant Master or Masters, or may delegate the appointment of such Assistant Master or Masters to the Head Master, subject to the approval of the person or persons appointed by him as they shall think expedient and necessary, such appointments to be made by resolution of the Governors. The Salaries of the Head Master and Assistant Masters shall be of such amounts as the Governors shall from time to time determine.

BLUE COAST HOSPITAL.

No. 52. The Governors shall, out of the Educational Endowments now vested in them, continue to perform and fulfil their contract with the Governors of the King's Hospital, ratified and confirmed by the said recited Act of the 10th George the First, and shall accordingly continue to pay to the Governors of the Hospital and Free School of King Charles the Second, Dublin, commonly called the Blue Coast Hospital, in the City of Dublin, such sums as are payable thereunder for the maintenance and education of the boys placed by them in the said Hospital.

ENGLISH SCHOOLS.

No. 53. The Governors shall, out of the Educational Endowments now vested in them, after providing for the several matters hereinbefore mentioned, be at liberty to continue all existing grants to the several English Schools mentioned in the Schedule hereto, so long as they are conducted in connexion with the Church of Ireland, and as the Governors shall think it expedient to continue same.

No. 54. The Governors shall be at liberty to discontinue their grants to any of their English Schools as they shall think fit, and especially to any of them existing in places where sufficient grants can be obtained from the Commissioners of National Education for the maintenance of schools under the patronage and management of members of the Church of Ireland, and in which the children attending such English Schools can be conveniently taught, or where the schools are otherwise in a position to obtain sufficient support either from private contributions or public funds. On the discontinuance of any such school, the Governors may make reasonable compensation to any Teacher of the same at the time of its discontinuance who shall have been not less than ten years continuously in the Governor's employment next preceding such discontinuance.

No. 55. In any case in which grants shall be so withdrawn from schools where the premises are vested in the Governors, the use of the premises may, upon such terms and subject to such regulations as the Governors shall think fit, be given to persons being members of the Church of Ireland, and approved of by the Governors, for the purpose of maintaining therein schools for the education of poor children in cases where there is nothing in the grants under which the Governors themselves hold the premises to prevent their so doing.

No. 56. The Governors shall be at liberty out of any such surplus income to make grants for the maintenance of English schools not already maintained by them in localities where adequate funds from other sources cannot be obtained.

No. 57. Any grants to be made by the Governors for the maintenance of English schools shall be subject to such rules and regulations as the Governors shall from time to time make in reference to same.

No. 58. The Governors may from time to time appoint under their common seal two fit and proper persons to be Inspectors—the one to be an Inspector of the four Grammar schools and of Harcourt-street school, the other of the English schools and of the Brunswick-street school—at such salaries as they may think expedient. The Inspectors shall inspect their

ARTICLE II

respective schools at least twice in every year or oftener, if required by the Governors so to do. They shall inspect and examine the several buildings at each inspection and report on their condition; they shall examine each boy in the course of education in the particular school; and they shall, if so directed by the Governors, also hold an examination in the Holy Scriptures and Church Catechism; but no boy who is not a member of the Church of Ireland shall be required to attend such examinations in the Holy Scriptures and Church Catechism whose parents or guardians shall object thereto.

Religious Education in all the Schools.

No. 59. Religious instruction in accordance with the principles and tenets of the Church of Ireland shall be given in each and every of the said several schools whether Grammar or English, or other schools under such regulations as shall be made from time to time by the Governors. No alteration in any such regulations shall take effect until the expiration of six months at the least after notice of the making of the alteration shall have been given by the Governors, in such manner as they shall consider best calculated to bring the matter within the knowledge of persons interested in the said schools.

No. 60. The parent or guardian of a person liable to maintain or having the actual custody of any boy attending any of the said schools as a pupil, who is not a member of the Church of Ireland, may claim by notice in writing addressed to the Head Master, the exemption of such boy from attending prayer or religious worship, or from any lesson or series of lessons on a religious subject, and such boy shall be exempted accordingly; and no such boy shall by reason of any exemption from attending prayer or religious worship, or from lessons or any series of lessons on a religious subject, be deprived of any advantage or enrolment in the school or out of the endowment of the Foundation to which he would otherwise have been entitled.

No. 61. If any Head Master or Assistant Master in the course of other lessons at which any boy exempted under the preceding clause, is in accordance with the ordinary rules of the school present, shall teach systematically and persistently any particular religious doctrine, from the teaching of which any exemption has been claimed as hereinbefore provided, the Governors shall, on complaint made in writing to them by the parent, guardian, or person liable to maintain or having the actual custody of such boy, hear the complaint, and inquire into the circumstances, and if the complaint is judged to be reasonable, make all proper provisions for remedying the matter complained of.

No. 62. The Governors shall have full power and discretion, from time to time, to regulate the amount of all fees to be paid by the pupils in each and every of the said several schools.

No. 63. In case the income of the Governors, after providing for the foregoing purposes of this scheme, shall be sufficient for the purpose, the Governors may grant retiring allowances or pensions, either by way of bulk sum, or annual payment, to any officer or servant of the Governors, who shall have, while in their employment, become permanently disabled by age, sickness, infirmity, or accident, from continuing to earn his livelihood; but no such grant shall be made to any person who shall not have been ten years, at the least, continuously in the Governors' employment,

nor shall the same, if by annual payments, exceed two-thirds of the salary or wages of such person on the average of five years next before such grant or five times the amount of such average, if by way of bulk sum, and in awarding any such grant, regard shall be had to length of service, nothing herein contained shall be deemed or construed to give any right to any such allowance, to any such officer or servant, and the granting of same shall be entirely optional with the Governors.

No. 64. Subject to the payment of the expenses of management of the estates and property of the Governors, and of any necessary or proper outgoings, any income of the Governors not applied under the foregoing provisions, and not needed as a balance to meet current expenses may be applied in improving the accommodation or convenience of the several school buildings of the Governors, or generally in extending, or otherwise in promoting the objects and efficiency of said several schools, and so far as not so applied shall yearly be invested in the names of the Governors in trust for the corporation in augmentation of its endowments.

No. 65. In case that by reason of non-payment or reduction of the rents of the Governors' estates, or otherwise, their income shall, at any time, prove insufficient for payment of their annual expenditure, for the purposes of this scheme it shall be lawful for them, if and when any such occasion shall arise, to apply a portion or portions of the sums heretofore invested by them, and now forming part of their Government stock, or which shall hereafter be invested by them, which have arisen or shall arise from savings of income, but not from any sales of their lands or hereditaments, to make good such deficiency until such reduction in their expenditure can be made to prevent the continuance of such deficiency, and such reduction it shall be lawful for them to make from time to time, when necessary, and in such manner as they shall consider to be the least injurious to the objects of this scheme.

No. 66. The Treasurer's poundage shall notwithstanding any of the foregoing provisions continue to be set apart as heretofore, as provided by the Letters Patent of the 27th July, in the fourth year of the reign of King William IV., and the said fund shall continue to be applied in such manner and for such charitable purposes as the Governors shall from time to time direct and appoint of and concerning the same.

No. 67. The Governors shall have full power from time to time to make, alter, and rescind all such by-laws and regulations for the conduct of their business and for the management of the corporation and their officers and servants as shall from time to time seem to them expedient. Provided that nothing therein contained shall be contrary to the laws of this realm or the provisions of this scheme.

Saving of vested rights.

No. 68. The foregoing scheme is subject to the vested rights of all persons now holding any office, place, employment, pension, compensation, salary, or enrolment under or from the Governors, or in any wise arising out of or connected with, the educational endowment now vested in the Governors.

No. 69. The date on which this scheme shall come into operation shall be the day of 188

SCHEDULE
CONTAINING LIST OF ENGLISH SCHOOLS.

APPENDIX B.

No.	School.	Post Town and Address.	County.	No.	School.	Post Town and Address.	County.
1	Aghalona,	Church Cross, Skibbereen.	Cork.	39	Monte-Male,	Monte,	Wexmouth.
2	Adra,	Adra,	Louth.	40	Do. Female,	Do.	Do.
3	Adra-Male,	Adra,	Wexmouth.	41	Monte-Male,	Monte-Male,	Wexmouth.
4	Do. Female,	Do.	Do.	42	Do. Female,	Do.	Do.
5	Adra-Male,	Adra-Male,	Cork.	43	Do. Female,	Do.	Cork.
6	Adra-Male,	Adra-Male,	Cork.	44	Do. Female,	Do.	Wexmouth.
7	Adra-Male,	Adra-Male,	Cork.	45	Do. Female,	Do.	Do.
8	Adra-Male,	Adra-Male,	Cork.	46	Do. Female,	Do.	Do.
9	Adra-Male,	Adra-Male,	Cork.	47	Do. Female,	Do.	Do.
10	Adra-Male,	Adra-Male,	Cork.	48	Do. Female,	Do.	Do.
11	Adra-Male,	Adra-Male,	Cork.	49	Do. Female,	Do.	Do.
12	Adra-Male,	Adra-Male,	Cork.	50	Do. Female,	Do.	Do.
13	Adra-Male,	Adra-Male,	Cork.	51	Do. Female,	Do.	Do.
14	Adra-Male,	Adra-Male,	Cork.	52	Do. Female,	Do.	Do.
15	Adra-Male,	Adra-Male,	Cork.	53	Do. Female,	Do.	Do.
16	Adra-Male,	Adra-Male,	Cork.	54	Do. Female,	Do.	Do.
17	Adra-Male,	Adra-Male,	Cork.	55	Do. Female,	Do.	Do.
18	Adra-Male,	Adra-Male,	Cork.	56	Do. Female,	Do.	Do.
19	Adra-Male,	Adra-Male,	Cork.	57	Do. Female,	Do.	Do.
20	Adra-Male,	Adra-Male,	Cork.	58	Do. Female,	Do.	Do.
21	Adra-Male,	Adra-Male,	Cork.	59	Do. Female,	Do.	Do.
22	Adra-Male,	Adra-Male,	Cork.	60	Do. Female,	Do.	Do.
23	Adra-Male,	Adra-Male,	Cork.	61	Do. Female,	Do.	Do.
24	Adra-Male,	Adra-Male,	Cork.	62	Do. Female,	Do.	Do.
25	Adra-Male,	Adra-Male,	Cork.	63	Do. Female,	Do.	Do.
26	Adra-Male,	Adra-Male,	Cork.	64	Do. Female,	Do.	Do.
27	Adra-Male,	Adra-Male,	Cork.	65	Do. Female,	Do.	Do.
28	Adra-Male,	Adra-Male,	Cork.	66	Do. Female,	Do.	Do.
29	Adra-Male,	Adra-Male,	Cork.	67	Do. Female,	Do.	Do.
30	Adra-Male,	Adra-Male,	Cork.	68	Do. Female,	Do.	Do.
31	Adra-Male,	Adra-Male,	Cork.	69	Do. Female,	Do.	Do.
32	Adra-Male,	Adra-Male,	Cork.	70	Do. Female,	Do.	Do.
33	Adra-Male,	Adra-Male,	Cork.	71	Do. Female,	Do.	Do.
34	Adra-Male,	Adra-Male,	Cork.	72	Do. Female,	Do.	Do.
35	Adra-Male,	Adra-Male,	Cork.	73	Do. Female,	Do.	Do.
36	Adra-Male,	Adra-Male,	Cork.	74	Do. Female,	Do.	Do.
37	Adra-Male,	Adra-Male,	Cork.	75	Do. Female,	Do.	Do.
38	Adra-Male,	Adra-Male,	Cork.	76	Do. Female,	Do.	Do.
39	Adra-Male,	Adra-Male,	Cork.	77	Do. Female,	Do.	Do.
40	Adra-Male,	Adra-Male,	Cork.	78	Do. Female,	Do.	Do.
41	Adra-Male,	Adra-Male,	Cork.	79	Do. Female,	Do.	Do.
42	Adra-Male,	Adra-Male,	Cork.	80	Do. Female,	Do.	Do.
43	Adra-Male,	Adra-Male,	Cork.	81	Do. Female,	Do.	Do.
44	Adra-Male,	Adra-Male,	Cork.	82	Do. Female,	Do.	Do.
45	Adra-Male,	Adra-Male,	Cork.	83	Do. Female,	Do.	Do.
46	Adra-Male,	Adra-Male,	Cork.	84	Do. Female,	Do.	Do.
47	Adra-Male,	Adra-Male,	Cork.	85	Do. Female,	Do.	Do.
48	Adra-Male,	Adra-Male,	Cork.	86	Do. Female,	Do.	Do.
49	Adra-Male,	Adra-Male,	Cork.	87	Do. Female,	Do.	Do.
50	Adra-Male,	Adra-Male,	Cork.	88	Do. Female,	Do.	Do.
51	Adra-Male,	Adra-Male,	Cork.	89	Do. Female,	Do.	Do.
52	Adra-Male,	Adra-Male,	Cork.	90	Do. Female,	Do.	Do.
53	Adra-Male,	Adra-Male,	Cork.	91	Do. Female,	Do.	Do.
54	Adra-Male,	Adra-Male,	Cork.	92	Do. Female,	Do.	Do.
55	Adra-Male,	Adra-Male,	Cork.	93	Do. Female,	Do.	Do.
56	Adra-Male,	Adra-Male,	Cork.	94	Do. Female,	Do.	Do.
57	Adra-Male,	Adra-Male,	Cork.	95	Do. Female,	Do.	Do.
58	Adra-Male,	Adra-Male,	Cork.	96	Do. Female,	Do.	Do.
59	Adra-Male,	Adra-Male,	Cork.	97	Do. Female,	Do.	Do.
60	Adra-Male,	Adra-Male,	Cork.	98	Do. Female,	Do.	Do.
61	Adra-Male,	Adra-Male,	Cork.	99	Do. Female,	Do.	Do.
62	Adra-Male,	Adra-Male,	Cork.	100	Do. Female,	Do.	Do.

SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND, AND CHURCH OF IRELAND TRAINING COLLEGE.

No. IX. (a.)

Referred to in Evidence of the RECORDS OF DUBLIN, pp. 112, 121, &c.

EDUCATIONAL ENDOWMENTS (IRELAND) ACT, 1885, sec. 20.—DRAFT SCHEME jointly submitted by the GOVERNING BODIES OF THE SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND, and of the CHURCH OF IRELAND TRAINING COLLEGE, KILDARE-PLACE.

A SCHEME for vesting in Trustees the Premises and other Property of the Kildare-place Society, in trust for the purposes of the Training College, including the Elementary Schools in connection therewith, now constituted and in operation upon said Premises; and for the future Government and Management of said Training College.

1. From and after the approval of this Scheme by Order in Council under the Educational Endowments (Ireland) Act, 1885, the Lands, Buildings, and Premises of the Society for Promoting the Education of the Poor of Ireland, commonly called the Kildare-place Society, which are particularly specified in the First Schedule hereto, subject to the tenure on which the same respectively are now held, shall become and be vested in the Trustees hereinafter named, in trust for the Governing Body of the Training College, now constituted and in operation upon said Premises.

2. The Government Stock, and other personal property of said Society, particularly specified in the second schedule hereto, shall at the same time be transferred to and shall vest in the said Trustees, also in trust for the Governing Body of the said College.

3. All books, books, and documents in the possession or power of the said Society, relating to schools originally founded by the said Society or connected therewith, specified in the third schedule hereto, and all the estate and interest of said Society in said schools, and in the lands and buildings held in trust for same shall upon the approval of this Scheme, as aforesaid, be transferred to and vested in the said Trustees, subject to the trusts affecting same.

4. The buildings, premises, and property transferred by the foregoing Clauses 1 and 2 shall be held and possessed by the said Trustees, with such powers of investment, of charging or varying securities, and of sale and exchange, as the Governing Body of the said College may direct, in trust for the purposes of the said College, including the elementary schools in connection therewith, as the same respectively are at present constituted, or as the General Synod of the Church of Ireland shall from time to time determine; and for the other educational purposes and special trusts hereinafter mentioned.

5. Upon the premises so transferred by the foregoing Clause 1, the said College including the said elementary schools now in operation thereupon shall

continue to be carried on as an institution for the education and training of Teachers of elementary schools in Ireland in connection with said Church.

6. The said College, including the said elementary schools, shall continue to be conducted as a Denominational Training College of the Church of Ireland, as lately constituted in accordance with the plan of the Commissioners of National Education in Ireland, and shall as such be conducted in conformity with and subject to the inspection and audit provided by the "Rules and Regulations" of the said Commissioners of National Education, as the same are now in force and applicable to same, or may from time to time hereafter be altered by competent authority.

7. The said College shall continue to be open, as at present, to students desiring to be trained as Teachers for schools in connection with said Church, but which are not included amongst the schools specified in the aforesaid rules and regulations of the Commissioners of National Education. The number of such students admissible at the beginning of any term shall be regulated by the demand at the time being for such teachers, and the special funds then at the disposal of the College for that department of its work.

8. The existing stock of books, stationery, school requisites, and stock-in-trade in the Depository, No. 4 Kildare-place, or rooms or stores used in connection therewith, shall, on the approval of the scheme by Order in Council as aforesaid, become and be vested in the said Trustees in trust for the Governing Body of the said College, to be disposed of and managed as the said Governing Body shall from time to time direct. The book business shall continue to be carried on by the Governing Body, in connection with and for the benefit of the said College, so long as it shall seem to the Governing Body to be for the advantage of the said College so to do, and the stock-in-trade and assets of said business from time to time shall, in point of title, vest in and be possessed by the said Trustees.

9. Subject to the authority of the General Synod,

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APPENDIX B.

the said College and the said elementary schools, and all the premises and property transferred by this scheme shall be regulated by the managing committee for the time being, who shall be the Governing Body thereof, and who, subject as aforesaid, shall have power from time to time to make all such by-laws, rules, and regulations, as shall seem to them to be expedient for the government and management of the said College and schools, and of the premises and property, which shall be transferred as aforesaid, or which from time to time may be held in connexion with said College and Schools, and from time to time to alter and amend the said by-laws, rules, and regulations, provided that such amendments or alterations shall not be inconsistent with any laws or regulations affecting the said College or Schools which shall for the time being be in force by virtue of any statutory or other competent public authority.

10. The following, being the managing committee as constituted by resolution of the General Synod of the Church of Ireland, together with such members of the committee of the Kildare-place Society as may consent to be co-opted by the said managing committee, shall form the Governing Body of the said College and Schools. Vacancies in the Governing Body shall be filled from time to time in such manner as the said General Synod shall direct.

The Most Rev. Lord Primate, Archbishop of Dublin,
Chairman.

Right Rev. Robert Gregg, Bishop of Clogh.
Right Rev. Wm. F. Walsh, Bishop of Ossory.
Right Rev. Wm. B. Chatter, Bishop of Kilmore.
Hon. Justice Hanlon.
Hon. Fredk. Folker, Recorder of Dublin, Esq. Sec.
Very Rev. A. H. Leah, Dean of Catted.
Very Rev. H. H. Dickinson, Dean of Chapel Royal.
Very Rev. H. Stewart, Dean of Downside.
Van. J. G. Scott, Archbishop of Dublin.
Van. Garrett Nugent, Archbishop of Meath.
A. S. Hart, Esq., Vice-President, &c.
A. Thell, Esq., &c.
Rev. Canon O'Connell.
Rev. Canon Warren.
Rev. Canon Wynne.
Rev. Canon Bell.
Wm. Graham Brooke, Esq., Hon. Sec.
Thomas T. Chapman, Esq.
Henry F. Colley, Esq.
Rev. F. G. Hayes.
R. H. Kishen, Esq.
Rev. Wm. Sharnard.
James Wilson, Esq.
Rev. J. J. McManus.
Rev. H. Knapfield Moore, Principal.
Rev. Canon Lucas, Chaplain.

11. In accordance with an agreement heretofore entered into between the Governing Bodies of the said Kildare-place Society, and of the said Training College, settling the terms on which, as between the two bodies, the transfer hereby made should take place, the following provisions shall have effect:—

1. The Training College shall continue the support hitherto given to the schools specified in the Fourth Schedule hereto so long as they shall appear to the Governing Body of the said College to be fully entitled to such support, and the said Governing Body shall also consider at their discretion from time to time the applications for grants of bursar not in by any other school.

2. So many of the Committee of the Kildare-place Society as shall consent to accept the position shall be co-opted as members of the Governing Body of the Training College.

3. The undermentioned officers now receiving salaries from the Kildare-place Society shall be retained in their present positions, duties, and salaries as officers of the Training College, and in the event of their being disabled from holding such offices by age or permanent infirmity, or by any cause other than their own wilful desertion, they shall respectively receive in respect of their salaries not less than two-thirds of the amounts to which they would respectively be entitled as ordinary civil servants under sect. 3 of the said Stat. 25. The officers above referred to are—Mr. William Maryon, manager of the book department, Mr. John Woodhouse, assistant therein, and Thomas Rathwell, porter.

4. Inasmuch as the office of the Registrar will be abolished by the transfer of the premises, it shall be compensated by the Training College by the payment to him, on or before the completion of such transfer, of such sum as, under the tables for Government Post Office Annuitants, will purchase for him an annuity of £50, being two-thirds of his present salary, to be paid under the special clauses of the said Stat. 25, when such office is abolished.

5. That as a last charge (after bond-vent) on the lands, buildings, and premises specified in clause 1 of this Scheme, a sum of £200 shall be annually charged by the Training College, from its general funds (not pecuniary alienated in any special object), towards the depreciation of the work specified in clause 7 of this Scheme. Provided that, in the event of the lands, buildings, and premises so transferred, the said College shall have power to borrow money for the improvement of the same; and that such power shall be permanent in all other provisions of this sub-clause. Provided also that if the said sum of £200, or any part thereof, should at any time be not required for that purpose, it shall be applicable to other uses as the Governing Body of the said College in its time being may determine.

6. All costs and expenses incurred in relation to this Scheme, and the Order in Council approving of same, shall be borne, as between the two Governing Bodies, by the Training College in connection of the Kildare-place Society, and immediately upon such Order in Council bearing approval, the Kildare-place Society, and the several Members of the Committee of said Society shall be concerned and discharged from all future trusts or liabilities in connection with its premises and property transferred under this Scheme.

12. Subject to sub-clause 3 of the foregoing clause 11, every officer, teacher, servant, or person employed in the said College, or in the said elementary schools, shall be subject to dismissal, on such terms, and in accordance with such rules as the Governing Body of said College shall from time to time make, provided that same shall not be repugnant to any rules or regulations of the Commissioners of National Education for the time being in force in relation to any such officer or person, or to the general law.

13. After the jurisdiction and powers of amending Schemes conferred by the Educational Endowments (Ireland) Act, 1885, on the Education Commissioners therein named shall have ceased, it shall be lawful for the Commissioners of Charitable Donations and Bequests for Ireland, in accordance with the 18th section of said Act, from time to time to alter the provisions of this Scheme, upon application made by the Governing Body of the said College, provided such alteration shall not be contrary to anything contained in said Act, or to the provisions of the foregoing clause 11.

14. It shall be lawful for the said Trustees, subject to the authority of the General Synod, to receive and hold in trust for the said College, or any educational purpose in connection therewith, any property, real or personal, which may hereafter be devised or bequeathed, or which may be transferred to them in trust for the said College or such educational purpose, subject to any special trust affecting such property, with all the powers in respect of same as in the case of the property hereby transferred.

15. The costs and expenses incurred in relation to this scheme within the meaning of section 33 of the Educational Endowments (Ireland) Act, 1885, and also those incurred in relation thereto by the Governing Body of the said College or to be defrayed by them in pursuance of sub-clause 4 of clause 11, as also the compensation to be paid under sub-clause 4 of said clause 11, shall be charged upon and payable in the first instance out of the Government Stock, such and funds hereby transferred, provided that the costs and expenses so made payable by this clause shall have been first submitted to and approved by the Educational Endowments Commissioners, and provided that this charge shall not prejudice any of the provisions of said clause 11.

16. The following shall be the Trustees of the said College, to hold for the Governing Body thereof, upon the trusts aforesaid, all property real and personal hereby transferred and that may be existing under the Scheme, or that may be transferred to them. Upon a vacancy occurring in the number of the Trustees, such vacancy shall be filled by the appointment of a new Trustee by a resolution passed at a meeting of the Trustees duly summoned, and by a proper legal assignment for vesting the property. Provided that, should the Commissioners under the Educational Endowments (Ireland) Act, 1885, incorporate the Governing Body of said College, or any other body capable of holding the property aforesaid, the same may be transferred to such body, should the Governing Body of the said College so direct, upon the same trusts.

and with the like powers, as in the case of the Trustees aforesaid.

The Most Rev. Lord PRUNKET, Archbishop of Dublin.

The Right Rev. ROBERT GRIBBS, Bishop of Cork.

HIS HONOUR JUDGE GAMBLE.

Wm. GRAHAM BROOKER, Esq.

T. T. CHAPMAN, Esq.

The Very Rev. A. H. LEECH, Dean of Cashel.

The Rev. H. KINGSMILL MOORE.

FIRST SCHEDULE.—Being the real chattel real and house property proposed to be transferred by this Scheme.

1. The house, No. 4, Kildare-place, male and female school buildings and class-rooms, with the outbuildings and appurtenances entered from the gateway in Kildare-place, with portion of the intervening yard or space, all which are comprised in the conveyance, 13th July, 1816, from the late LUCAS WHITE to Trustees for the Kildare-place Society.

2. The houses known as Nos. 10 and 11 Kildare-street, with the gardens of the yard or space between Kildare-street and the school buildings, all which are comprised in the memorandum of lease, 1st January, 1835, from the late LUCAS WHITE to Trustees for the Kildare-place Society.

SECOND SCHEDULE.—Showing the particulars of chattel property, Government Stock, and other personal property proposed to be transferred under clause 2 of this Scheme.

1. A sum of £1,354 6s. 3d., New Three per Cent. Government Stock, now standing in the names of

James R. Stewart, esq., Right Hon. Judge Warren, and E. W. Gamble, esq., &c., being three of the existing Governing Body of the Kildare-place Society.

2. Income of a residuary bequest of the late Hon. Sophia Ward, consisting now of an annual sum of about £45 per annum.

3. An annual sum of £10, bequeathed by will of late Cecilia Carey, paid by the Board of Charitable Donations and Bequests.

4. Stock of books, stationery, school requisites, and stock-in-trade in the Society's depository or rooms or stores used in connection therewith, valued on the 5th July, 1855, as follows:—

Stock of books, &c.,	£1,794 0 0
Debits due to Depository,	4517 16 7
Less debts due by Depository,	299 3 1
	2115 11 6
Total value,	£2,010 11 6

5. Cash balance to the credit of the Society at time of approval of Scheme.

THIRD SCHEDULE.—Showing the particulars of Leases of Schools referred to in clause 3.

FOURTH SCHEDULE.—Showing NAMES of Schools referred to in clause 11, sub-clause 1, and amount of present annual grant to each.

Limerick Ragged School, £15.

Dolphin's-barn Schools, £15.

Buckingham House Free School, Cork, £20.

Approved, as amended, by joint Sub-Committee.

PICKNEY DUFFIN, Chairman.

NO. IX. (b.)

Referred to by the RECORDER OF DUBLIN, p. 112, &c.

MEMORANDUM accompanying the DRAFT JOINT SCHEME of the GOVERNING BODIES of the SOCIETY for PROMOTING the EDUCATION of the POOR of IRELAND and of the CHURCH of IRELAND TRAINING COLLEGE, KILDARE-PLACE, transmitted to the EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSIONERS, in accordance with their general directions in relation to Draft Schemes.

(a) *Origin and History of the Endowment proposed to be dealt with by the Scheme.*

1. The Society for Promoting the Education of the Poor of Ireland usually and herein called, "The Kildare-place Society," was formed in 1811 as a voluntary association, with the professed object of diffusing throughout the country a well-ordered system of Education for the Poor, one of its fundamental regulations being that the Holy Scriptures should be read by all pupils, irrespective of Creed, in all schools in connection with the Society on the principle as expressed in their published reports, "that a system of Scriptural and united Education was the only system on which a sound system of National Education could be based."

2. The Society was unincorporated, and without endowment, in its origin dependent on voluntary contributions, its members being qualified by a payment of Ten Guineas for a Life and One Guinea for an Annual Member. It was under the management of a Committee, who with the Officers of the Society, including its Trustees, were elected and liable to be dissolved in each year at the Annual Meetings of the Society. It was not subject to any public jurisdiction, inspection, or control, but as its system in its earlier years met with general public approval, annual grants were made by Parliament in aid of the Society from 1816 to 1833. For some years previous to the latter date, the principles of the Society encountered

the opposition of the Roman Catholic Hierarchy of Ireland, and on the establishment of the Commissioners of National Education in Ireland all further grants to the Society ceased, leaving it to continue its operations by its own resources, unaided save by voluntary contributions.

3. Its operations during the continuance of the grant consisted in the maintenance of a Training School for Schoolmasters and Schoolmistresses; Model Schools for boys and girls; a Depository for the sale of Educational Books and School Requisites, and a Country School Department, by which grants in money and requisites to schools throughout Ireland, and in gratuities to School Teachers were made; to this last department the Parliamentary grant was most largely applied.

4. After 1833 the Society continued to maintain the Training School, the Model Schools, and the Book Depository. From the Annual Reports of the Society it appears that in the years from 1832 to 1850, the subscriptions and donations to the Society amounted to upwards of £30,000, that in the same years the bequests to the Society amounted to £1,300; the other resources of the Society consisted chiefly of the profits of the Book Depository, School Fees in the Model Schools, and payments made by or contributed for Teachers in training. During the same years the total of the disbursements of the Society as appearing in their annual balance sheets amounted to upwards of £40,000.

APPENDIX B.

5. In 1839 the Church Education Society was formed with the object as stated in their Rules—

"To assist Schools of present existing in the country, and to establish new Schools on an improved system for the purpose of affording to the children of the Church instruction in the Holy Scriptures, and in the Christian and civil principles of the Church, under the direction of the Bishop and Parochial Clergy, and under the tuition of Teachers who are members of the United Church of England and Ireland."

In 1847 this Society made an arrangement with the Kildare-place Society, by which at the expense of the former, the Teachers for their Schools should be trained in the Training College of the latter in Kildare-place. This arrangement continued until by the growth of the Church Education Society, the Teachers in the Kildare-place School consisted almost exclusively of those sent for training by the Church Education Society, by whom the expense of that department came to be thus almost exclusively defrayed. In 1850, of £731 cost of the Training School, £769 was contributed by the Church Education Society. In 1854 an agreement was entered into between the two Societies, by which the departments of the Training Schools and the Model Schools passed directly into the hands of the Church Education Society, to whom the Kildare-place Society let the whole of the premises occupied by those departments, which thenceforward to 1878 were managed and carried on by the Church Education Society upon its own principles.

6. The Church Education Society was during the above period a voluntary Association, supported by voluntary subscriptions, gifts, and bequests. From the evidence of their Accountant, before the Endowed Schools (Ireland) Commission, 1878-1881 (Report, vol. 2, p. 585), it appears that their expenditure on the Training and Model Schools was for the year 1867, £1,896, and for 1878, £1,640. The cost in the other years of their administration can be obtained.

7. Owing to decrease of revenue, consequent in great measure on the Disestablishment of the Church of Ireland, the Church Education Society became unable to continue to maintain the Training and Model Schools, and in 1878 they surrendered the premises to the Kildare-place Society. In the same year the Board of Religious Education of the General Synod of the Church, under the authority of that body, formed a Committee of Management for the carrying on of the Training and School departments as part of the direct educational work of the Church; and by a Letter of Agreement the whole of the premises and buildings, as occupied by the Church Education Society, were let by said Kildare-place Society in trust for said Board of Religious Education. This Agreement is set out in the Appendix to the above report of the Endowed Schools Commission, vol. 2, p. 613, together with a Schedule showing the precise portions of the buildings in Kildare-place and Kildare-street included in the demise. It is dated 26th July, 1878, and is in terms for a single year, but has since been acted upon as constituting a tenancy from year to year.

8. In the six years following this agreement (1878-1884), the Training and Model Schools were conducted by the Committee of Management of the Board of Religious Education as a College for Male and Female Teachers of Schools connected with the Church, whether in connection with the Commissioners of National Education or otherwise. In those years the Committee expended on the maintenance of the College and Schools and repair of buildings upwards of £12,000, wholly raised by voluntary contributions. In 1888 the Committee, under the authority of the General Synod, entered into an arrangement with the Commissioners of National Education, by which, with the consent of the Treasury, Male Teachers in training in the Normal Training School, Marlborough-street, and members of the Church, were received in Kildare-place as a Denominational Boarding-house, occupying the same dormitories with the Kildare-place Male Students, the National Commissioners contributing to the cost of the Marlborough-street men.

9. In 1884, at the instance of Mr. Trevelyan, then Chief Secretary for Ireland, the Commissioners of National Education recognised and adopted the principle of Denominational Training Colleges for Teachers of Elementary Schools in Ireland, on the system for many years existing in Great Britain.

10. In pursuance of a Resolution of the General Synod of April, 1884, referring it to their Standing Committee to take steps for the establishment of a Denominational College, in accordance with the above system negotiations were entered into with the Commissioners of National Education, and the premises in Kildare-place and the proposed Management and Staff having been approved by the Commissioners under 149A. 2 of their "Rules and Regulations," the Training College and Schools were reconstructed, and on the 9th September, 1884, were opened as a Denominational Training College (for the training of Male and Female Teachers of Schools) in connection with the Irish Church, and same is now in successful operation.

11. The preliminary expenditure on structural alterations and other matters consequent on the reconstruction, irrespective of the sum appearing in the Balance Sheet herewith sent, amounted to upwards of £1,000. For the purpose of this reconstruction, the Kildare-place Society, by an agreement dated 26th October, 1884, let to the Committee of the Training College, in addition to the premises comprised in the Agreement of 26th July, 1878, the house, No. 11, Kildare-street, at a further rent of £97 per annum. A copy of this Agreement will be found amongst the documents herewith transmitted. This house has been theretofore let by the Kildare-place Society to tenants at a nearly similar rent.

(5) Mode in which Endowment is administered.

(51) By the Kildare-place Society.

12. The entire of the property, real and personal, of which the Kildare-place Society is possessed is comprised in the Schedule to the Draft Scheme herewith transmitted. The particulars of these are more fully set out and described in the Abstract of Title, marked A, which is amongst the documents herewith sent.

13. After the Society ceased to directly conduct or superintend the Training and Model Schools, as heretofore mentioned, it ceased to seek or to receive from the public any subscriptions or voluntary aid. The Managing Committee, however, of said Schools continued ready to depend upon such voluntary aid.

14. The residue of the buildings and premises retained by the Society consisted of their Committee Rooms, the Book Depository in No. 4, Kildare-place, some stores connected with the latter, and the house, No. 11, Kildare-street which, as before stated, was let to tenants at a rent of about £100 per annum.

15. The entire revenue arising from the premises since their first letting by the Society has been practically expended on the maintenance of the Schools and Training Establishment. Of the rent £375 reserved by the agreement of 26th July, 1878, which was the same as that named in the agreement with the Church Education Society, an annual sum of £150 has been for many years abated by the Kildare-place Society to the Church Education Society and the Committee of the Training College in succession. The balance of £110, with the rent of 11, Kildare-street, was little more than sufficient to meet the necessary annual expenditure of the Kildare-place Society on board rent, insurance, and repairs.

16. From the remainder of their net income, consisting of the profits of the Book Depository, the annual receipts in respect of the Government stock, and the legacies specified in the Schedule to the draft scheme, after payment of salaries and working expenses, the Society in each year has made free grants of cash and books to the amount of about £120.

17. The Society also confers considerable benefit on schools and individuals by the sale of books and

school requisites at reduced prices, as appears by reference to the Sales specified in the Balance Sheets furnished herewith, amounting to over £1,700 per annum. Over 74,000 Educational Works published by the Society have been issued during the last five years, including 32,016 Spelling Books, 10,835 Grammars, 14,413 Geographies, and 16,850 Table Books. Among the general School Requisites issued at low prices during the same period may be specified 312,488 Pens, 15,192 Slates, 755 Quarts of Ink, 83,500 Copy Books, and 186,500 Slate Pencils. In this way assistance is afforded every year to about 150 schools throughout the country.

18. For several years the Society was in the habit of paying superannuation allowances to certain teachers formerly connected with the Society. These payments have ceased, the last teacher in receipt of an annuity having died last year.

(b) By the Training College Committee.

19. Upon the premises comprised in the aforesaid agreements of 25th July, 1875, and 4th October, 1884, the Training College constituted as hereinbefore mentioned in paragraph 10 is carried on. The College is regulated in accordance with the Code contained in 146a and 149A of "The Rules and Regulations" of the Commissioners of National Education, which for brevity are here referred to.

20. In addition to the class of teachers specified in these Rules, viz.—those intended for National or other Government Elementary Schools (included in 149A, V.), the College receives for training students intended for Schools in connection with the Church not included in that class. The cost of these students is entirely defrayed by the College out of funds voluntarily subscribed, with the small admission fee charged to each student, but without any assistance from the State.

21. In accordance with 146a of the above cited "Rules and Regulations" the Model Schools were in 1884 placed in connection with the Commissioners of National Education as non-vested Schools. The present condition and statistics of these Schools are shown in the Prospectus included amongst the documents herewith transmitted.

(c) The Constitution of the Governing Body.

(a) Of the Kildare-place Society.

22. The Governing Body of the Society consists of the Managing Committee assisted by a Registrar appointed under clause XIX of the original "Laws and Regulations" of the Society. These Regulations provided for elections at the annual public meetings, but since the operations of the Society became circumscribed on the letting of the Schools, the vacancies on the Committee have been filled up by co-option under the above clause XIX.

23. The present Committee consists of the following:—

- John K. Burton, Esq., M.A., 34, Finsbury-street, Lower.
Edward C. Collier, Esq., 16, Kildare-street.
Charles Cobbe, Esq., D.L., Newbridge House, Donabate.
R. E. Frazer, Esq., 43, Finsbury-place.
His Honor Judge Gaskill, Esq., Secretary, 81, Finsbury-square.
Anthony Lefroy, Esq., M.D., D.L., Cambridge-street, Longford.
Henry Wm. Mackintosh, Esq., 33, Leeson-park.
Robert Mullock, Esq., 36, Finsbury-place.
J. H. A. McCune, Esq., Hornsea-street, Dundrum.
John H. Newman, Esq., 6, Dawson-street.
Thomas Rotherham, Esq., J.P., Talavera, Bray.
John Seymour, Esq., 7, Dawson-street.
Henry M. Smythe, Esq., M.A. (Oxon.), J.P., 82, Finsbury-place.
James R. Stewart, Esq., 6, Leinster-street.
Eight Hon. & E. Warren, 13, Finsbury-square.
James Wilson, Esq., D.L., Finsbury, Brompton, Blackrock.
Charles H. Kenny, Esq., M.A., Registrar.

(b) Of the Training College.

24. The present Governing Body consists of a

Managing Committee, appointed under Resolution of the General Synod, on the 22nd April, 1885, which is as follows:—

APPENDIX B.
contd.

"That the following do constitute the Managing Committee of the Church of Ireland Training College, Kildare-place, with power to add to their number and to fill vacancies in their body, and that the said Committee shall continue to exist and to exercise its power as Governing Body of that Institution until the expiration of the first week of the next following Session of the General Synod, notwithstanding the prorogation or dissolution of the present Synod, and that the said Committee shall make its report to the General Synod:—

- "The Most Rev. Lord Fitzhugh, Archbishop of Dublin, Chairman.
Right Rev. Robert Grogan, Bishop of Cork.
Right Rev. William P. Walsh, Bishop of Ossory.
Right Rev. William R. Christie, Bishop of Kildare.
Hon. Justice Harrison.
Hon. Fredk. Folliott, Recorder of Dublin, Hon. Sec.
Very Rev. A. H. Leach, Dean of Cashel.
Very Rev. H. H. Deane, Dean of Chapel Royal.
Very Rev. H. Stewart, Dean of Down.
Ven. J. G. Scott, Archbishop of Dublin.
Ven. Garrett Sugrue, Archbishop of Meath.
A. E. Hall, Esq., Vice-President, M.P.
A. Tuck, Esq., F.R.S.
Rev. Canon Gilliland.
Rev. Canon Warren.
Rev. Canon Wynne.
Rev. Canon Bell.
William Graham Broder, Esq., Hon. Sec.
Thomas T. Chapman, Esq.
Henry F. Colley, Esq.
Rev. F. C. Hayes.
E. H. Keble, Esq.
Rev. William Sheehan.
James Wilson, Esq.
Rev. J. J. Robinson.
Rev. H. Rignall Moore, Principal.
Rev. Canon Leaper, Chaplain."

(d) The proposed changes.

25. By the Draft scheme it is now proposed to place the whole establishment at Kildare-place, as in its origin, under single management and control; and to vest the property, as to title, in Trustees, in trust for the purposes of the Training College, including the Elementary Schools in connection therewith.

26. This proposed transfer is sought in conformity with the reports of two Parliamentary Commissions, issued by Liberal and Conservative Governments respectively—viz., the Royal Commissioners on Endowed Schools, 1854-1858, and the Endowed Schools (Ireland) Commission, 1878-81. The Report of the latter (Blue Book, p. 103) contains the following paragraph:—

"The Royal Commissioners, 1854-1858, reported that property of considerable value, consisting chiefly of School Sites and School Houses, are vested in the Kildare-place Society, and they recommended that provision should be made for placing these endowments, together with all books, books, papers, &c., relating thereto, under the care of bodies and persons more directly connected with existing arrangements for education, and who would in consequence be more likely to exercise the activity and vigilance which are necessary for the security of such small endowments distributed over different parts of the country. This recommendation has not been carried out. Large and valuable buildings, situated in Kildare-street and Kildare-place, Dublin, at the time of our inquiry belonged to the Kildare-place Society."

27. The immediate pressure under which the Governing Body of the Training College have sought this transfer is the necessity for enlarging and improving the premises, consequent upon the recent reconstruction of the College, for which the buildings in their existing state were found to be wholly inadequate. Before the opening of the College in 1884, and to make room for the students of the first year, it was found necessary to make important structural changes and to provide house accommodation both for the Principal and the Chaplain outside the walls; and as the system of the College is now biennial, further alterations proved to be essential for the reception of the new students of the second year entering in September, 1885. These improvements the Committee were compelled to make, notwithstanding the insufficiency of their title, by means of contributions voluntarily subscribed.

APPENDIX B.

28. The sanitary arrangements in the Girls' Department were still quite deficient, and a new Refectory and Lecture Rooms were essentially required. Early in this year the Committee of the College had plans and estimates prepared by Messrs. Deane, showing a requisite expenditure of £3,600, but the need of a Refectory for the girl students was so pressing as to force the Committee to undertake this portion of the work, estimated at £1,500 at once, and without waiting for a better title. This work was authorized before the passing of the Educational Endowments Act, and is now in progress; but upon a title so obviously inadequate (scarcely from year to year) they feel they would not be warranted in going forward with the improvements by means of the contributions of private benefactors, while they are incapacitated from taking advantage of the Act of last Session, 47 and 48 Vic., cap. 22, passed expressly to authorize Government Loans for Denominational Training Colleges in Ireland.

29. The terms on which the consent of the Kildare-place Society has been given to the transfer now proposed to be carried out by the scheme was the subject of lengthened conference between the two governing bodies previous to the passing of the Educational Endowment Act of last year. They eventually concurred in certain "Heads of Agreement," a copy of which is included in the documents herewith furnished. Since the passing of the Act the Representative Church Body (to whom it was proposed in the said Heads of Agreement to transfer the Society's property) have declined to assent to the transfer or to accept the Trusts as proposed by the said Heads of Agreement, and a Transfer to the Trustees named in Clause 16 of the Draft Scheme has accordingly been substituted. The other terms of the Heads of Agreement are evincingly embodied in the present

scheme. The principal points insisted on by the Kildare-place Society were, (1) that they should be relieved from further responsibility in the subject matter of their trust by statutory or other adequate sanction; and (2) that having regard to the original principles of the Society, some security should be given for continuing to aid Church schools unable or unwilling to share in the Parliamentary grant for elementary education. Since the passing of the Educational Endowments Act the conference between the two governing bodies has been renewed and has resulted in the presentation of the Draft Scheme now submitted to the Commissioners.

30. The Government Stock proposed to be transferred by Clause 2 of the Scheme includes a legacy of £200 Irish, bequeathed to the Society by the late W. P. LeFanu in the year 1819—the terms of the gift are set out in the Abstract of Title herewith sent. A bequest for the clothing of young persons is by section 10 of the Educational Endowments Act to be deemed an educational endowment. It has not been found in late years desirable to apply the interest of this small sum in alms or pecuniary gifts of clothing, and in the Girls' and Infants' Schools, in addition to the salaries paid by the Commissioners of National Education, are assisted by a considerable contribution from the Managing Committee in aid of the teachers' salaries, it is proposed that the Government Stock representing this small sum (£193 16s.) should in future be applicable like the rest of the Stock to the general purposes of the College and Schools.

31. The Schedule hereto contains a list of documents herewith transmitted in pursuance of the general directions of the Commissioners as to papers and statements which should accompany Draft Schemes, together with others referred to in this memorandum or relating to the subject matter.

SCHEDULE of PAPERS and STATEMENTS accompanying DRAFT SCHEME, in accordance with Circular directions of Educational Commissioners.

1. Copies of Instruments affecting Constitution of Trusts.

- (a) Copy, Laws, and Regulations of the Kildare-place Society.

* * The Society being, as above stated, voluntary and unincorporated, there is no Charter, Trust Deed, or Instrument defining the Constitution of the Society other than the above Regulations.

- (b) Rules and Regulations of the Commissioners of National Education.

* * The College and Schools are now constituted under the above. The Resolution of General Synod constituting Committee of Management is set out in above memorandum, par. 24.

2. List of names and designations of Governing Bodies.

These are fully set out in above memorandum, pars. 23 and 24.

3. Detailed Statement of Capital, Funds, Land, &c.

- (a) Abstract of Title to Lands and Premises, with Statement of Items of Government Stock and Personal Property.

- (b) Copy Contract of Letting of 11, Kildare-street. 4th Oct., 1884.

4. Abstract of Revenue and Expenditure since 1880.

- (a) Copy Balance Sheets of Kildare-place Society for above years sent.

- (b) Copy Balance Sheet of Training College for year ending Aug., 1885. This year is the first since opening as a Denominational College.

5. Statement of number of persons receiving benefit under Trusts.

- (a) Circular Prospectus of Training College for current year, showing full Staff of Training College.

- (b) Printed List of Male and Female Students now in the College in each department.

- (c) Statement showing present Staff of Elementary Schools and number of Scholars in each department.

- (d) The number of Schools receiving benefit at present from the Kildare-place Society appears in the Fourth Schedule to Scheme, and in pars. 15, 16 and 17 of above memorandum.

6. Document referred to in above memorandum, par. 29.

- (a) Copy Heads of Agreement between Governing Bodies of Kildare-place Society and Training College.

No. IX. (c.)

APPENDIX B.

Referred to in Evidence of Recorder of Dublin, p. 120.

HEADS of AGREEMENT between the COMMITTEE of the CHURCH of IRELAND TRAINING COLLEGE and the COMMITTEE of the KILDARE-PLACE SOCIETY.

1. That the premises in Kildare-place and Kildare-street, now vested in the Kildare-place Society, and occupied by the Training College, and the Kildare-place Society, shall be transferred to, and vested in the Church Representative Body (with the consent of that Body), under the 38th & 39th Vict., chap. 43, to be held in trust for the maintenance of the said Training College, and such other educational purposes incidental thereto, as the General Synod of the Church of Ireland shall from time to time determine. The Kildare-place Society further propose to hand over to the Representative Church Body the stock of Books in the Depository, and also the sum of Government Stock, and cash and other property which may be in the hands of the Society at the time of the completion of the transfer of the premises aforesaid, for the like purposes, as in clause 1, subject to any special trust affecting the same, and upon the condition of the Training College continuing the support heretofore given to the Schools in the Schedule hereto, so long as they shall appear fairly entitled thereto, and also considering, at their discretion, from time to time, the claims for grants of books sent in by any other School. Provided that the Kildare-place Society shall be legally exonerated from, and indemnified against, all future trusts and liabilities in reference to the said premises.

2. That this object shall be obtained by a Deed of Transfer (drawn in pursuance of the terms of agreement herein set forth), and, if necessary, by an Act of Parliament, sanctioning such transfer.

3. That so many of the Committee of the Kildare-place Society as shall consent to accept the position, shall be accepted members of the Training College Committee.

4. That the officers now receiving salaries from the Kildare-place Society shall be retained in their present positions, status, and salaries as officers of the College, and that in the event of their being disabled from holding such offices by age or permanent infirmity, or by any cause other than their own wilful misconduct, they shall respectively receive in compensation not less than two-thirds of the amounts to which they would respectively be entitled as ordinary civil servants, under Sect. 2 of the 22 Vict., c. 36.

5. That, inasmuch as the office of the Registrar

would be abolished by the transfer of the premises, he shall be compensated by the Training College by the payment to him, upon the execution of the agreement, of such sum as, under the tables for Government Post Office Annuitants, will purchase for him an Annuity of £80, being two-thirds of his present salary, as usual under the special clauses of the 22 Vict., c. 36, when such offices are abolished.

6. That the College shall continue to admit, as at present, Students desiring to be trained as Teachers for Non-Government Schools; and that the number of candidates so admitted at the beginning of any Term shall be regulated by the demand, at the time being, for such Teachers, and the special funds then at the disposal of the College for that department of its work.

7. That, as a first charge (after head-rent) on the premises transferred, as aforesaid, to the Church Representative Body, a sum of £250 shall be annually allotted by the College, from its General Funds (not previously allocated to any special object) towards the above-mentioned (Non-Government) Department of its work. Provided that, on the security of the premises so transferred, the College shall have power to borrow money for the improvement of the said premises; and that such power shall be paramount to all other provisions of this agreement. Provided also that if the said sum of £250, or any part thereof, should at any time be not required for that purpose, it shall be applicable to such other uses as the Managing Committee of the College for the time being may determine.

8. That should it be found necessary to obtain an Act of Parliament sanctioning the above transfer, no Bill introduced for that purpose shall be allowed by its promoters to become law if, during the passage through Parliament, it should be so altered (except by mutual consent) as to contravene the terms of the foregoing agreement.

9. That all costs and expenses incurred in effecting the above Transfer, and in obtaining, if necessary, an Act of Parliament, as aforesaid, be defrayed by the Church of Ireland Training College.

10. That the Draft of any Bill intended to be introduced into Parliament shall be submitted to the Kildare-place Society before its introduction.

No. IX. (d.)

Referred to in Evidence of C. H. KEENE, p. 113.

LAWS and REGULATIONS of the KILDARE-PLACE SOCIETY.

I. The name of the Institution shall be "The Society for promoting the Education of the Poor of Ireland."

II. The object of the Society is to diffuse throughout this country, a well-ordered system of Education of the Poor, which shall combine economy of time and money, and bestow due attention on cleanliness and discipline.

III. The leading principle by which the Society shall be guided, is to afford the same facilities for education to all classes of professing Christians, without any attempt to interfere with the peculiar religious opinions of any.

IV. In order to obtain the object proposed, the Society will use the following means: it will establish and maintain a Model School, on an extensive scale, in the metropolis, which shall, at the same time, exemplify the system of education recommended by the Society, and serve as a seminary for the instruction of persons to act as teachers: it will also assist in procuring properly qualified schoolmasters, and will provide suitable books, stationery, and other articles necessary for schools, at reduced prices.

V. As it is conceived that schools best adapted to the wants and circumstances of Ireland are those in which the appointment of Governors, Teachers, and Scholars shall be uninfluenced by religious distinctions; where the Scriptures without note or comment shall be read; but all extraneous and books of religious controversy excluded; in which the morals of the pupils and instructors shall be anxiously attended to; where habits of decency and of cleanliness shall be considered indispensable; where reading, writing, and arithmetic shall be taught in a clear and expeditious manner; and in which good order and regular discipline shall be duly enforced:—the funds of the Institution shall be devoted to the support of such schools alone; but the Society is willing to communicate information, and afford such assistance as shall not diminish its resources to any Bazaar for the instruction of the poor.

VI. The Society shall consist of a Patron, Vice-Patron, President, Vice-Presidents, Committee, Treasurer, Trustees, and Secretary; and also of Honorary Members, Guardians, Members for Life, and Annual Members, together with such inferior

APPENDIX D.

officers as may be deemed necessary for conducting the affairs of the Society.

VII. Every person subscribing £50 at one time; or who shall by any additional payment increase his annual subscription to that sum, shall be a guardian of the Society.

VIII. Upon any legacy of £30 being paid to the Treasurer, the executors of the persons bequeathing such legacy shall be guardians.

IX. Every person giving a benefaction of ten guineas shall be a member for life.

X. Every person subscribing one guinea annually shall be a member during the continuance of such subscription.

XI. The Committee shall have the power of nominating such persons as shall render essential service to the Society, or shall be active in promoting objects similar to those of the Society, honorary members.

XII. The Annual Meeting of the members of the Society shall be held in Dublin on such day, after the 5th of January in each year, as the Committee shall judge expedient, when the proceedings of the foregoing year shall be reported, the accounts presented, and a Treasurer, Trustees, Auditors of Accounts, and a Committee chosen: ten days' notice of such meeting shall be given in the public newspapers.

XIII. A Special General Meeting of the members of the Society may be called at any time, at the requisition of the Committee, or of any ten members, on addressing a letter to the Secretary, specifying the object of the meeting: ten days' notice shall be given in three public newspapers of any such intended meeting, and of the purposes for which it is called.

XIV. Six Trustees shall be elected at the Annual General Meeting, from amongst the members of the Society, in whom may be vested the property of the Society: these Trustees shall be liable to be displaced at any Annual General Meeting.

XV. A Treasurer shall be elected at each Annual General Meeting from amongst the members of the Society.

XVI. Five Auditors shall be appointed at each Annual General Meeting for the purpose of auditing the accounts of the Society, of whom not more than two shall be members of the Committee: three shall form a quorum.

XVII. A number not exceeding thirty-one members, resident in Dublin, or its vicinity, shall be elected at each Annual General Meeting, who, to-

gether with the Patron, Vice-Patron, President, Vice-Presidents, and Treasurer, shall constitute a Committee, to superintend the affairs of the Society, and to appoint all its officers, except the Treasurer, Trustees, and Auditors.

XVIII. The Committee shall have power to elect from amongst the members of the Society, resident in the different counties and principal towns in Ireland, such persons as they shall think fit to associate with themselves, in order the more effectually to obtain and communicate such information as may serve to promote the object of the Institution; the Members so elected shall be privileged to attend at the deliberations of the Committee.

XIX. The Committee shall fill such vacancies as may occur in their own body; elect from amongst themselves a Secretary or Secretaries, and appoint a Registrar or Collector, and such other officers as they shall deem necessary, for conducting the affairs of the Society.

XX. All orders for payments on account of the Society, shall be signed in Committee by three members thereof.

XXI. The Committee shall have the accounts of the Society entered in books to be kept for that purpose; and in like manner the proceedings of the Society, at its Annual and Special General Meetings, shall be entered in another book to be kept for that purpose; all which books shall be laid on the table at the Annual General Meetings, and shall be at all times open to the inspection of subscribers.

XXII. An Annual Report of the proceedings of the Society, its Laws and Regulations, with an account of the state of its funds, and a list of subscribers and benefactors, shall be published as soon as conveniently can be, after each Annual General Meeting.

XXIII. None of the laws of the Society shall be altered or repealed; nor shall any new law be enacted, except at an Annual General Meeting. And no law shall be deemed valid or noted upon, unless confirmed at the next Annual General Meeting, or at a subsequent Special General Meeting, convened expressly for that purpose at an interval of a month at least after the preceding Meeting.

XXIV. That no member of the Society, by virtue of an annual subscription, shall be entitled to vote at any General Meeting, unless he shall have been a subscriber, and his name entered as such on the books of the Society, six months before such meeting.

No. IX. (a.)

Objection of C. H. KENN to Draft Scheme.

See Evidence, p. 376.

CHURCH of IRELAND TRAINING COLLEGE and SOCIETY for PROMOTING the EDUCATION of the POOR of IRELAND.

19, Stephen's-green, Dublin,
13th August, 1886.

To the Secretary, Educational Endowments (Ireland)
Commission, 23 Nassau-street, Dublin.

DEAR SIR,—In accordance with the instructions attached to the Draft Scheme prepared by the Commissioners under the Educational Endowments (Ireland) Act, 1885, for the future management of the Kildare-place property, I beg that you will be so good as to submit to the Commissioners the following "objection" to the said Scheme.

In February and March, 1885, an "Agreement," of which I send a copy herewith, was entered into between the Committee of the Church of Ireland Training College and the Committee of the Kildare-place Society, specifying certain terms in accordance with which it was agreed that the property of the Kildare-place Society should be transferred to the Training College.

After full consultation between the representatives of both Bodies, it was admitted and agreed that such

transfer would involve the abolition of my office as Registrar.

These terms were accepted by the Training College Committee in the most formal manner, as will appear from the Resolutions passed by said Training College Committee, copies of which I send in the annexed Schedule, and the Kildare-place Committee, on the other hand, have most honourably and fully carried out both the letter and spirit of their side of the Agreement.

One of the terms of the said Agreement is that in consequence of the abolition of my office I should be compensated by payment to me of a sum now amounting to, say, according to the Government Annuity Tables, £507 18s. 4d.

This compensation was settled as just and proper in analogy to the compensation given to the Clerks of Telegraph Companies upon the transfer of their property to the Government under 31 & 32 Vict., c. 110, sec. 8, sub-sec. 7, and the rule as to special officers in 22 Vict., c. 26.

In the Draft Scheme submitted jointly by the

* See No IX (a.) supra p. 437.

Kildare-place Committee and the Training College Committee it was proposed to set out this compensation expressly in the Scheme for the future management of the property, but in the Draft Scheme proposed by the Commissioners said compensation is not specifically stated.

I therefore lodge this "objection" in order to respectfully request the Commissioners to reconsider their action in the matter, and to state said compensation definitely in their scheme.

I make this application because interests acquired prior to the passing of the Educational Endowments (Ireland) Act, 1883, as mine is, are specifically saved by clause 11 and are exempted from clause 12 of said Act.

I have been the chief officer of the Society, keeping its accounts and bank, cash, and rent accounts, and preparing the materials for and making out the Annual General Balance Sheet of the Society now no longer to exist, and conducting the correspondence in reference to that part of the work of the Society which under the new arrangement will cease, and having the complete control and supervision of all the officers of the Society.

It is not at present, and never has been, my duty to carry on the correspondence or to keep the accounts of the Depository, or to prepare the Annual Balance

Sheet of said Depository, as these functions are discharged by the Manager and his Assistant.

I have held this confidential and responsible position for eighteen years.

My eldest brother and my father were successively my predecessors in the office of Registrar, and thus the period during which members of my family have been the chief officers of the Kildare-place Society extends back for nearly forty years, which has induced me to continue so long in my present position at a very moderate salary.

It would be unreasonable to ask me under these circumstances to undertake other and different duties under a new Committee with most of whom I am unacquainted in business, and this was so clearly felt by the members of the Training College and the Society that the necessity for my retirement and compensation was almost unanimously admitted.

The circumstances which I have now stated have not yet, so far as I know, been laid before the Commissioners, and I venture to hope that the Commissioners will consider them to furnish sufficient grounds to justify them in specifically inserting in their Scheme the provision for my compensation.

I am, dear sir, yours faithfully,

CHARLES H. KEENE.

SCHEDULE

RESOLUTIONS passed at MEETING of MANAGING COMMITTEE of CHURCH of IRELAND TRAINING COLLEGE, 25th February, 1885.

Proposed by the Hon. the Recorder of Dublin, seconded by the Right Rev. the Lord Bishop of Cork, and resolved:—

That this Committee, recognising the liberal spirit in which the communication* of the Kildare-place Society of the 23rd February has been conceived, are of opinion that they should not engage in further controversy as to the conditions therein specified, but now substantially accept the same, subject to its appearing upon a consideration of the financial questions involved in the conditions referred to, that the College can safely undertake the responsibilities thereby

imposed and subject also to such mutual adjustment of details as may be requisite for carrying into effect the terms agreed upon.

Proposed by W. G. Brooks, Esq., seconded by the Very Rev. the Dean of the Chapel Royal, and resolved:—

That the Sub-Committee (viz.: the Archbishop of Dublin, the Archbishop of Dublin, the Recorder, and W. G. Brooks, Esq.) be requested to take the necessary steps for carrying into effect the terms of foregoing resolution.

(Signed), FLEMING DUNN, Chairman.

* This refers to the Heads of Agreement, IX. (a.)

RESOLUTIONS passed at MEETING of SUB-COMMITTEE, 2nd March, 1885.

Resolution I.—That having read Mr. Keene's letter (of the 26th February) to the Archbishop of Dublin, we are of opinion that the Church of Ireland Training College can without financial risk accept the responsibilities involved in the Heads of Agreement as amended by the Committee of the Kildare-place Society on the 23rd of February; and in pursuance of instructions given us by the Managing Committee (to carry into effect their resolution of the 26th of February), we hereby on behalf of said College formally

assent to the said amended Heads of Agreement, subject to such further adjustment of details as may be made by mutual agreement.

Resolution II.—A formal resolution arranging for a conference.

(Signed), FLEMING DUNN, Chairman.

Mr. Keene's letter, referred to in Resolution I., contained certain information regarding the Society's property, for which the Archbishop had asked.

No. IX. (f.)

Referred to in Evidence of C. H. KENNEDY, p. 116.

CHURCH OF IRELAND TRAINING COLLEGE and the SOCIETY for PROMOTING the EDUCATION of
the POOR of IRELAND.

AMOUNT of the RECEIPTS and DISBURSEMENTS of the SOCIETY for PROMOTING the EDUCATION of the POOR of IRELAND, for one year, from the 6th day of July, 1884, to the 5th day of July, 1885, both inclusive.

RECEIPTS.		DISBURSEMENTS.			
Balance in hand, 31st July, 1884,	£ s. d. 2,509 7 1	County Schools Department—	£ s. d.	£ s. d.	
Received further sum on account of Bequest of the late Honourable S. Ward, legacy to Kilnashbegger Society, £10,000 divisible in 4th parts,	44 0 0	Value of Grants issued,		109 10 9	
Received one year's annuity of Miss Ovey's Bequest, per Comptrolleuse of Charitable Bequests,	9 8 0	Book and School Requisition Department—			
Received interest on Legacy of the late William F. Lefevre, exp. for clothing children in Model Schools,	5 6 6	Paid for Miscellaneous Books,	1,234 4 7		
Received for sale of books,	1,866 7 0	Paid for Salary, Manager, December, 1883-1884,	179 0 0		
Received rent from Board of Religious Education of the General Board for year ending 30th day of January, 1885,	110 0 0	Paid for Salary, Assistant, 3 years, April, 1884,	33 0 0		
Received rent from Church of Ireland Society for half-year ending 1st day of March, 1884,	15 0 0	Paid for Wages to Porter, including Costies, 17s. per week,	80 2 6	1,235 7 1	
Received rent from His Grace the Archbishop of Dublin and Exr. H. E. Meehan, for half-year ending 1st day of February, 1884,	46 10 0	General Expenditure connected with all Departments—			
Received from the same, proportion of rent to 1st August, 1884, due by tenants No. 11, Kilnashbegger Bequest, dividends on Government Stock,	33 15 0	Paid for Rent, Taxes, and Insurance,	259 12 8		
Received dividends on Government Stock,	40 4 7	Paid for Salary to Assistant Secretary,	75 0 0		
Received interest from Transvaal, Macaotho Bank,	9 4 6	Paid for Printing, Stationery, Advertising,	9 8 2		
		Paid for Contingencies,	20 13 4	245 13 9	
	4,824 1 8	Balance,		1,971 13 10	
				1,982 8 20	
		STATE OF BALANCE.		4,824 1 8	
		£ s. d.			
		Government Stock,	1,234 10 9		
		Bank of Ireland,	1,046 11 0		
		Requisitions (including 1s. 4d. to Manager's Hands),	79 4 1		
			2,359 5 10		

Dr.	BALANCE.		CONTRA.		Cr.
To Balance—					
Buildings &c.	30,000	15 0			
Furniture &c.	50	0 0			
Governments Stock for (including Lebanon's Legacy, £100 0/6 Od)	1,618	8 9	11,522	4 2	
Miscellaneous Stocks, for Value of Stock.			2,319	11 5	
Bank of Ireland, for Value in Stock.	1,048	11 0			
Expenses, for Value in Hand (in- cluding 1s. 4d. in Manager's Hands).	79	4 1			
			1,327	15 1	
			14,708	11 4	
					14,708 11 4

Ds.		STOCK.	CONTRA.		Cr.
1884.	July 6,	To Lofgren's Legacy, for Value in Hand,	£	s.	d.
1885.	July 5,	To Balance, for Value of Society's Property at this date,	14,734	5	7
			14,737	9	10
1884.	July 6,	By Balance for—			
		Buildings,	10,118	18	0
		Furniture,	80	0	0
		Government Stock,	1,418	2	9
		Miscellaneous Books,	1,508	1	2
		Bank of Ireland,	189	9	3
		Treasurer,	1,978	7	3
		Registrar,	69	19	11
1885.	July 5,	By Income and Expenditure for Excess of Income,	14,697	2	4
			80	0	8
			14,777	2	20

No. IX. (f.)—continued.

APPENDIX B.

CHURCH of IRELAND TRAINING COLLEGE and the SOCIETY for PROMOTING the EDUCATION of the POOR of IRELAND—continued.

ANNUAL STATEMENT of the RECEIPTS and DISBURSEMENTS of the SOCIETY for PROMOTING the EDUCATION of the POOR of IRELAND, for one year, from the 6th day of July, 1884, to the 5th day of July, 1885, both inclusive—continued.

Dr. INCOME AND EXPENDITURE.			CONTRA.		Cr.
1885. July 5.		£ s. d.	1884. July 5.		£ s. d.
To Begister, paid Rent, Taxes, &c.,		122 12 3	By Treasurer, for Interest,		4 2 2
" " Printing, &c.,		9 5 3	" " Miscellaneous Books for Profit,		9 4 6
" Buildings for Ware and Tools,		25 0 0	" Rent, Taxes, Insurance, for		408 12 8
" Begister, paid Contingencies,		28 15 4	" Government Stock for Dividends,		207 6 0
" " Salaries and Wages,		284 2 8	" Donations for		40 4 7
" " Grants to Schools,		103 10 0			35 8 0
" Stock, for Excess of Income,		30 0 6			
		712 11 8			712 11 8

No. IX. (g.)

Statistical Information forwarded with Draft Scheme.

Present STAFF of ELEMENTARY SCHOOLS, and Number of SCHOLARS in each Department.

BOYS' SCHOOL.

Mr. Jeremiah Henly, Head Master. | Mr. John Hamilton, Assistant Master.

Number of Boys on the Roll, 156.

GIRLS' SCHOOL.

Miss Agnes Browne, Head Mistress. | Miss Hannah Heron, Assistant Mistress.

Miss Frances E. Upton, Assistant Mistress.

Number of Girls on the Roll, 206.

INFANTS' SCHOOL.

Miss Emily Robinson, Head Mistress. | Miss Sarah J. Boyd, Assistant Mistress.

Number of Infants on the Roll, 128.

Total, 489.

H. KINGSMILL MOORE.

ROYAL IRISH ACADEMY OF MUSIC.

No. X. (a.)

Referred to in Evidence of Sir F. W. BRADY, pp. 129, 130.

REVENUE ACCOUNTS, ending 31st December, 1885.

Dr.	£ s. d.		Cr.	£ s. d.
To Annual Subscriptions,	304 2 0	By Balance from last Statement—		
To Pope's Pien,	1,639 19 0	Royal Bank Account Over-		
To Pope's Concerts,	56 11 4	drawn,	68 18 1	
To Dividends on Begley Fund,	6 1 8	Less Amount to Credit of		
To Do. on Bank Stock Building Fund,	20 13 5	No. 2 Account,	46 10 1	96 8 0
To Irish Fund,	6 0 0	" Salaries,		2,011 13 4
To Do. (Prince Albert Memorial),	45 0 0	" House Expenses,		112 19 0
To Rent,	87 20 0	" Repairs and Furniture,		62 12 5
To Opera Practice,	2 3 8	" Coal and Gas,		68 10 6
To Music Hall,	7 12 0	" Advertisements,		32 4 8
To Government Grant,	300 0 0	" Musical Instruments and Music,		25 18 3
To Commencement of Charitable Bequests (Van-		" Concert Expenses,		57 0 0
delaar Fund),	121 15 2	" Printing and Stationery,		25 16 3
To Balance Royal Bank Account Overdrawn,	102 11 11	" Postage Stamps,		5 0 0
		" Law Costs,		50 0 0
		" Prizes and Medals,		5 8 0
		" Do. do. (Prince Al-		
		bert Memorial),		45 0 0
		" Payment for Vandalur		
		Scholar,		191 0 0
		" Fire Insurance Premium,		2 5 8
		" Pension Subscriptions retained,		5 0 0
		" Interest on Overdrawn Bank		
		Account,		7 10 4
		" Interest on Mortgages,		48 0 0
		" Dividends on Bank Stock,		
		Building Fund Invested		
		and Delated to Capital		
		Account,		30 13 5
	2,705 2 2			2,705 2 2

BALANCE ACCOUNTS.

DEBITORS.	£ s. d.	CREDITORS.	£ s. d.
To Trustees Prince Albert Fund,	300 0 0	By Bank Stock and other Investments,	621 18 5
" Trustees Begley Fund,	125 0 0	" Academic Foundation,	2,056 0 0
" Trustees Vandalur Fund,	47 8 2	" Opera, Musical Instruments, Furniture and	
" Amount Due to Royal Bank,	169 11 11	Fidings,	708 0 0
" Trustees Royal Irish Academy of Music,	2,008 12 3		
	3,328 12 5		3,328 12 5

No. X. (b.)

Referred to in Evidence of Sir FRANCIS W. BRADY, p. 129.

ROYAL IRISH ACADEMY OF MUSIC, its present Constitution, and the particulars of its Endowments.

<p><i>Patron: His Most Gracious Majesty The Queen.</i></p> <p><i>President: His Royal Highness The Duke of Edinburgh.</i></p> <p><i>Vice-President: The Right Honourable Lord FitzGerald.</i></p> <p><i>Council:</i></p> <p>W. Jenkins, Esq. Moss A. Elliot. Sir Francis W. Brady, Bart. Mr. C. Maurice Becket, Esq. Sir Jacobus Coghlin, Bart. George Cross, Esq. Signor Luigi Casacchia. R. Warren Dealey, Esq. Edward DeSalvo, Esq. Most Rev. Doctor Donnelly. D. S. Evans, Esq., M.A. Signor M. Kapustin. E. Ferrell, Esq. Robert F. Kent, Esq. Sir Thomas A. Jones, Pres. R.I.A. T. K. G. Jones, Esq., Mus. Doc. Edward Kinsley, Esq., M.A.</p>		<p><i>Finance Committee:</i></p> <p>Wm. Beethoven, Esq. Sir Francis W. Brady, Bart. G.O.</p> <p><i>Honorary Secretaries:</i></p> <p>Sir Thomas A. Jones, F.R.S. George Cross, Esq.</p> <p><i>Treasurer:</i></p> <p>Sir T. W. Brady, Bart. G.O. H. E. Doyle, Esq., F.R.S.</p> <p><i>Assistant Secretary and Registrar:</i></p> <p>(Vacant.)</p> <p><i>Lady Superintendent:</i></p> <p>Ms. Cross.</p> <p><i>PROFESSORS AND TEACHERS.</i></p> <p><i>Harmony and Composition.</i></p> <p>Sir Robert F. Stewart, Mus. Doc., Professor in the University of Dublin. T. K. G. Jones, Esq., Mus. Doc.</p> <p><i>Singing.</i></p> <p>Signor Luigi Casacchia, Director. Mrs. Scott Fenwick.</p> <p><i>Choir Class.</i></p> <p>Signor Luigi Casacchia, Conductor.</p> <p><i>Pianoforte.</i></p> <p>Sir Robert F. Stewart, Mus. Doc., Professor T.C.D. Moss A. Elliot. Signor M. Kapustin. Moss Becket. Moss O'Brien.</p> <p>Miss Kelly. Miss Wright. Miss Douglas. Miss Hoop. Har A. Rathbone.</p>	
<p><i>Executive Committee:</i></p> <p>Wm. Jenkins, Esq. R. Warren Dealey, Esq. D. S. Evans, Esq., M.A. Robert Kent, Esq. E. Wogan MacDonnell, Esq. William S. Martin, Esq.</p>		<p>Her Carl Lamm. R. M. Levey, Esq. Very Rev. Canon McManus, F.R. R. Wogan MacDonnell, Esq. William S. Martin, Esq. Nicholas D. Murphy, Esq. (Hon.) Thomas Mayne, Esq., M.A. H. S. Murray, Esq. G. Macgregor, Esq. Thomas Nedley, Esq., M.D. George O'Shea, Esq. (Hon.) Arthur Patton, Esq. Harry J. F. Rolleston, Esq. Robert Sharp, Esq. Sir Robert P. Stewart, Mus. Doc. Captain F. Symes, M.C. J. C. Van Nanten, Esq.</p>	
<p><i>Board of Professors.</i></p> <p>Ms. Alexander Elliot. Signor Luigi Casacchia. Signor M. Kapustin. T. K. G. Jones, Esq., Mus. Doc. Sir Carl Lamm.</p>		<p>Thomas Mayne, Esq., M.A. H. S. Murray, Esq. G. Macgregor, Esq. Thomas Nedley, Esq., M.D. Arthur Patton, Esq. Captain F. Symes, M.C.</p>	

APPENDIX B.

<i>Organ.</i>	
Mr Robert F. Stewart, Mus. Doc.	T. R. G. Jones, Mus. Doc.
<i>Voice.</i>	
R. M. Levey, Esq. Herr Carl Leem.	J. C. Connolly, Esq.
<i>Pianoforte.</i>	
Herr J. F. Bachardoff.	
<i>Wind Instruments.</i>	
J. C. Van Marston, Esq.	
<i>Orchestra.</i>	
R. M. Levey, Esq. J. C. Van Marston, Esq.	
<i>Italian Language.</i>	
Signor F. Marcelli.	

THE OBJECTS OF THE ROYAL IRISH ACADEMY OF MUSIC.

The purpose for which the academy is founded was the advancement of the art and science of music in Ireland, (1) by affording systematic musical instruction of the highest class to pupils, both professional and amateur; (2) by awarding certificates of proficiency to all pupils who may prove themselves worthy of such distinction; (3) generally; by taking such steps as the council may, from time to time, think fit, for promoting the interests of music and musicians, and for otherwise advancing the study of music.

CONSTITUTION AND GOVERNMENT.

The academy is governed by a president, and vice-president, and by a council elected annually by the subscribers to the academy, at a meeting specially summoned for the purpose. The council exercises the power of framing regulations for the academy, and amending, altering and repealing same from time to time.

The Executive Committee.—An executive committee not exceeding twelve is appointed by the council, from amongst its non-professional members, to carry on the management of the academy in the intervals between the meetings of the council. The executive committee meets weekly, or oftener if necessary, except during vacation, to transact ordinary business of the academy. The council meets monthly, except during vacation, to receive the report of proceedings of the executive committee, and, if approved, to confirm same.

Board of Professors.—The council elects a board from amongst the professors of the academy, who give advice on matters especially within their professional knowledge, to the council and executive committee.

Subscribers.—Subscribers of one pound per annum or upwards, form the constituency by and from whom the council is elected. Subscribers have the privilege of attending all general meetings and all concerts given by the academy.

Hon. Secretaries.—Hon. Secretaries, not exceeding three, are appointed by the council from its own members, and are ex-officio members of the executive committee, and of all other committees, of the academy. In the intervals between the meetings of the executive committee, the Hon. Secretaries carry out the details of business of the academy.

Trustees.—The property of the academy, including the premises in Westland-row, and the several trust funds, are vested in the trustees, with the exception of such funds as are, under the conditions of their endowment, vested in the Commissioners of Charitable Donations and Bequests, or other bodies. The council is empowered to do, or cause to be done, all such acts as are necessary to the appointment, from time to time, of new trustees, and the vesting in them and the continuing trustees (if any) of the property of the academy.

Assistant Secretary and Registrar.—The council is empowered to appoint an assistant secretary and registrar.

Lady Superintendent.—A lady superintendent is appointed by the council.

Government Grant.—Since 1870, the government has recognised the utility of the academy by obtaining from the House of Commons an annual grant of £300, on the express condition that the subscription realises £100.

REGULATIONS.

1. All orders for regulation of the academy emanate from the executive committee to the teachers and officers of the establishment.

2. All branches of musical education are taught so far as the resources of the academy admit. Pupils may choose any one of these for their principal study. Attendance in the Italian class is obligatory on pupils of the vocal classes. Attendance in the harmony class is obligatory on all pupils of the academy, over the age of fourteen.

3. No pupil can be admitted for less than one year, without special permission.

4. Any pupil who, in the opinion of the board of professors, does not make satisfactory progress in his or her studies, may be removed on the expiration of the current term, at the discretion of the executive committee.

5. No pupil is allowed to perform in public without permission of the executive committee.

6. There are two scales of fees, the lower for those who, by dedication in writing, state their intention of studying music for professional purposes, or their inability to pay on the higher scale. The higher scale for all others.

7. Separate instruction is given to each pupil.

8. All fees are payable in advance.

9. Notice, pending the current term, must be given of the withdrawal of a pupil.

10. Pupils are only admitted at the commencement of each term and half term. Candidates for admission must attend for examination in the branch of study for which they enter, bringing music to perform. They must also pass an examination in the rudiments of Music, or join the elementary class to prepare for the next general examination in the rudiments.

11. All pupils are required, when called upon, to take part in the orchestral or choral practices, and in public performances of the academy.

12. Any infringement of the regulations, or any misconduct, will subject the pupil, at the discretion of the executive committee, to dismissal from the academy.

13. As a mark of particular distinction, advanced pupils may be appointed sub-professors, and required, in return for their own free instruction, to give instruction in the academy, under the supervision of their own professors.

14. The course of instruction includes two weekly lessons, of twenty minutes each, but the pupil is required to remain in the class-room on each occasion for one hour, with the view of deriving advantage from the instruction given to other pupils. In special cases, pupils coming from a distance are allowed to receive only one lesson weekly of longer duration.

15. The year is divided into three terms, commencing, respectively, 30th September, 14th December, and 14th March. There is vacation of a fortnight at Christmas, of a week at Easter, and a long vacation from the 30th of June to the 30th of September.

16. On leaving the academy, pupils who, upon passing an examination, may be deemed qualified, are granted certificates of study or proficiency.

Examinations.—Examinations are held annually, at which scholarships, medals, certificates, and prizes in the form of books or money, are awarded.

Scholarships.—Scholarships are obtained by competitive examination. They are given in the form of free instruction, and are continued for a greater or lesser period, according to the progress and merit of the holder.

Some of the funds belonging to the academy are specially applicable for the purpose of scholarships and prizes, viz.:—The Albert Fund; the Vandelaar Fund; the Begley Fund. There is also a prize for National music.

SCHOLARSHIP AND PRIZE FUNDS.

The Begley Fund, 1876.—This fund consists of a sum of £135, presented to the academy by Dr. Begley, an eminent London physician, as a memorial of his sister, the late Miss Maria Begley, who pursued the profession of music in Dublin. In accordance with the donor's request, the above sum has been invested, and the interest applied as an annual prize.

The Albert Fund, 1877.—This fund consists of the proceeds of a sum of £340 13s. 10d. government three per cent. stock, being one-half of the surplus remaining in the hands of the Dublin Prince Consort Memorial Committee, on completion of the memorial.

The above sum of stock was presented by the committee to the academy, as a fitting mode of perpetuating the memory of the Prince Consort, and by the terms of the gift the interest of the fund is to be applied as prizes to the students of the academy, according to the discretion of the governing body, for the time being.

The Vandelaar Fund, 1879.—Under the will of the late Ormsby Vandelaar, Esq., the Commissioners of Charitable Donations and Bequests pay the dividends of a sum of government stock, the proceeds of £4,000 sterling, to the council of the academy, upon trust, to apply the said dividends for the purpose of endowing scholarships for the pupils of the academy, who shall show the greatest proficiency in vocal and instrumental music, subject to this restriction, that not less than one-third of the said dividends be applied in endowing such scholarships for encouraging proficiency in instrumental music, other than the piano-forte.

No. X. (c.)

Referred to in Evidence of Sir F. W. BRADY, p. 130.

PARTICULARS AS TO PROFESSORSHIPS.

Name of Professor, &c.	Date of Appointment.	Office.	Salary.
Sir E. P. Stewart,	1869	Pianoforte, Organ, and Harmony.	£15s. 6d. per hour.
Mrs. Rilet,	1875	Pianoforte,	£11 1s. for each Lecture on Harmony.
Signor Bonolis,	1882	Pianoforte,	£200 a year for five hours weekly and 20s. 6d. for extra hours.
Miss Bennett,	1887	Pianoforte,	10s. 6d. per hour.
			£50 per annum for two days in the week of six hours each; 4s. for extra hours.
Miss O'Hara,	1879	Pianoforte,	5s. 6d. per hour.
Miss Kelly,	1887	Pianoforte,	£20 a year for four days in the week of five hours each; 3s. extra hours.
Miss Wright,	1874	Pianoforte,	2s. per hour.
Miss Douglas,	1885	Pianoforte,	2s. per hour.
Miss Hogg,	1886	Pianoforte,	2s. per hour.
Mr. Levy,	1886	Vocal,	£50 a year for two days in the week of two hours each; £20 a year for tuition five violin class.
Mr. Van Mante,	1876	Wind Instruments.	£20 a year for four days in the week of two hours each.
Signor Caracchia,	1876-82, 1888.	Vocal,	20s. 6d. per hour.
Mrs. Scott-Pennell,	1863-75, 1881.	Vocal,	5s. per hour.
Miss Barnwell,	1870	Vocal,	2s. 6d. per hour.
Miss Ward,	1879	Vocal,	2s. 6d. per hour.
Signor Marcolini,	1870	Italian,	£20 per annum, two hours weekly.
Her Lass,	1877	Vocal,	£100 a year—two days weekly, at four hours each (gentleman's class); 4s. for each lady pupil.
Mr. Connolly,	1884	Vocal,	2s. 6d. per hour.
Edw. Richardson,	1884	Vocal,	£20 a year—two days in the week, two hours each.
Dr. José,	1874	Organ,	5s. per hour.
		Harmony, Accompanying solo class.	£10 a year.
Mr. Brumwick,	1879	Vocal,	£10 for seven.
			6s. first hour, 3s. 6d. each hour after.
Her Bishop,	1885	Pianoforte,	2s. an hour.
Mrs. Cross,	1871	Lady Soprano-tendant.	£24 a year.
Miss Cross,	1880		£20 a year.
Mr. O'Brien,	1882	Organist,	£20 a year.

No X (d)

RETURN as to Number of COUNCIL MEETINGS and ATTENDANCES of MEMBERS of COUNCIL.

Total Number of Council Meetings from 1881 to 1886, 196.

ATTENDANCES.

Name of Member.	Number of Attendances.	Name of Member.	Number of Attendances.
W. Beetham, esq.,	35	R. H. Keahan, esq.,	None.
Messrs. A. Bidd,	33	R. M. Levey, esq.,	22
Sir F. W. Brady, bart.,	118	Wm. Levey,	19
M. Beetham, esq.,	None.	W. Martin, esq.,	None.
W. E. Bruce, esq.,	None.	Rev. Canon McManis,	7
Vice-Pres. Dr. Donnelly,	21	R. W. Macfarland, esq.,	22
Sir J. J. Coghlin, bart.,	1	T. Morris, esq., M.P.,	6
G. Cross, esq.,	30	H. E. Mearns, esq.,	27
Signor Cavarero,	21	G. Mearns, esq.,	10
H. W. Davley, esq.,	20	T. Mulvey, esq., M.P.,	1
E. De Schreier, esq.,	4	G. O'Brien, esq.,	None.
D. B. Deane, esq., M.D.,	4	A. Patten, esq. (new Member),	—
Signor Esposito,	20	Herr Schneider,	10
R. Farrell, esq.,	18	Sir T. P. Stewart, M.P.,	27
S. Hunt, esq. (new Member),	—	Captain Symes, M.D.,	14
Sir T. A. Jones,	109	R. Sharp, esq.,	20
T. R. G. Judd, esq., M.B. M.C.,	101	J. C. Van Manton, esq.,	24

No X (e)

Referred to in Evidence of Sir F. W. BRADY, p. 130.

NUMBER of STUDENTS attending CLASSES, March, 1886.

LADIES' CLASSES.

Pianoforte,	Vocal,	Harmony,	Viola,	Violoncello,	Italian,	Organ,	Recitations of Music,	Total.
147	37	29	23	7	15	8	74	280

GENTLEMEN'S CLASSES.

Pianoforte,	Vocal,	Harmony,	Viola,	Violoncello and Bass,	Organ,	Wind Instruments,	
10	9	8	27	2	None.	6	59

LADIES' AND GENTLEMEN'S CHOIR CLASS.

77

77

380

No X (f)

STATEMENT showing AMOUNT given by the ROYAL IRISH ACADEMY of MUSIC in SCHOLARSHIPS and PRIZES for the five years preceding March, 1886.

	Amount.	Total.
Vandekerke Scholardships, Annual,	£ s. d. 121 10 0	
The total obtained during the above period includes £150 interest of interest paid and disbursed at commencement, and includes 247 in bank now,		
Albert Scholardships, Annual,	45 0 0	718 1 6
Academy Scholardships,		325 0 0
Pianoforte, Average,	12 0 0	60 0 0
Vocal,	12 0 0	60 0 0
Viola,	6 0 0	29 0 0
Violoncello and Contrabass,	4 0 0	20 0 0
Prizes and Medals, including the Interest of the Begley Fund (£1195)—		
1881,	—	36 8 6
1882,	—	44 16 8
1883,	—	29 17 1
1884,	—	35 17 0
1885,	—	48 8 6
Annual Average,	42 9 6	
	262 19 6	1,529 3 10

ALEXANDRA COLLEGE

No. XII. (a.)

Evidence, T. R. S. COLLINS, p. 143.

BALANCE SHEET for the year ended 1st SEPTEMBER, 1885.

DEB.	£ s. d.	CR.	£ s. d.
To Cash in hands of Lady Principal, House Account,	80 1 4	By Balance against the College, 1st September, 1884,	396 1 2
„ Fees paid by Students, including Archbishop Travels's Exhibition, £20; the Curator of Meath's Do., £20; Sturges's Scholarship, £20; Professor Colvill's Exhibition, £1; the Drawing Professor's Do., £5; Lady Viscount's Do., £30; and Alexandra School Exhibition, £12,	5,648 18 8	„ Fees paid to Professors,	5,148 10 2
„ Results Fees from Intermediate Education Com- missioners,	51 3 3	„ Salaries of Officers,	942 17 2
„ Rent of No. 5, Marlborough Terrace, for the year ended 18th July, 1885,	150 0 0	„ Advertisements,	52 5 10
„ Fees of Station in Marlborough Terrace, for the year ended 1st May, 1885,	25 0 0	„ Books, Printing, and Educational Apparatus,	54 2 3
„ Given from the Workshop Company of Mechanics of the City of London,	20 15 0	„ Postage, Receipts, Stamps, and Stationery,	35 20 0
„ Given from the Workshop Company of Mechanics of the City of London,	50 0 0	„ Photocopy Hire and Tuning,	55 10 0
„ Balance against the College, 1st September, 1884,	550 10 2	„ Rent, Taxes, and Insurance (including interest on 12 Debentures),	553 10 0
		„ Furniture and Repairs,	233 18 6
		„ House Expenses, viz. —	
		Wages of Porter, Cooks, &c.,	4,140 0 0
		„ Coal, Coke, and Gas,	4,140 0 0
		„ Rent and Garden Expenses, and occasional Services,	20 12 11
		„ Commission Expenses,	24 2 0
			143 14 11
		„ Coal, Coke, and Gas,	50 17 10
		„ Bank Drafts,	0 12 6
		„ Interest on Debentures,	0 10 0
		„ Electricity,	1 10 0
		„ Cash in hands of Lady Principal, House Account,	50 4 8
	55,510 1 2		55,510 1 2

Examined and compared with the Vouchers, and found correct, leaving a balance against the College of Five Hundred and Thirty Pounds, Thirteen Shillings, and Sixpence.

December 31st, 1884.

RICHARD TRAVERS SMITH,
V. BALL, } Auditors.

GENERAL BALANCES —

	DEB.	CR.
	£ s. d.	£ s. d.
Alexandra College,	—	550 10 2
Alexandra School,	750 4 8	—
Building Fund,	5 10 7	—
Royal Hall (in favour of the Institution),	—	155 4 0
	4,125 15 0	4,125 15 0

Examined and found correct.

31st Dec., 1885.

R. T. SMITH,
V. BALL.

ALEXANDRA SCHOOL

No. XII. (b.)

Evidence, T. R. S. COLLINS, p. 143.

BALANCE SHEET for the year ended 1st SEPTEMBER, 1885.

DEB.	£ s. d.	CR.	£ s. d.
To Balance in favour of the School on 1st September, 1884,	554 1 8	By Salaries to Teachers and Bureau,	548 0 0
„ Cash in hands of Head Mistress, House Account,	1 10 4	„ School Exhibition,	544 5 0
„ Fees from Pupils,	5,526 11 5	„ Advertisements,	40 0 0
„ Results Fees from Intermediate Education Com- missioners,	52 12 4	„ Books (Private),	18 4 0
„ Interest on 12 Debentures,	12 12 8	„ Books and Educational Apparatus,	35 7 0
		„ Postage, Receipts, Stamps, and Stationery (Office),	25 15 4
		„ Stationery for use of Pupils,	55 17 8
		„ Photocopy Hire and Tuning,	55 10 0
		„ Rent, Taxes, and Insurance,	553 10 0
		„ Furniture and Repairs,	233 18 6
		„ House Expenses, viz. —	
		Cooks, Garden, and occasional Services,	20 0 7
		„ Coal,	27 0 8
		„ Purchase of Alexandra College Debentures,	400 0 0
		„ Miscellaneous,	5 15 0
		„ Cash in hands of Head Mistress, House Account,	0 10 0
		„ Balance in favour of the School on 1st September, 1884,	750 4 8
	5,515 18 5		55,510 12 5

Examined and compared with the Vouchers, and found correct, leaving a balance in favour of the School of Seven Hundred and Twenty-two Pounds, Five Shillings, and Sixpence.

December 31st, 1885.

RICHARD TRAVERS SMITH,
V. BALL, } Auditors.

No. XII. (c.)

Evidence, T. R. S. COLLINS, p. 143.

STATEMENT OF INCOME AND EXPENDITURE OF ALEXANDRA SCHOOL and ALEXANDRA COLLEGE, from 1873.

ALEXANDRA COLLEGE.					ALEXANDRA SCHOOL.				
Year.	Income.	Expenditure.	Profit.	Loss.	Year.	Income.	Expenditure.	Profit.	Loss.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1873-4	658 13 3	718 3 0	120 14 3	—	1888-9	1,640 3 3	1,822 2 6	18 0 0	—
1874-5	1,876 7 8	1,513 23 5	469 14 3	—	1889-90	1,584 0 12	1,548 16 6	—	136 12 6
1875-6	1,626 16 10	1,465 16 10	460 10 0	—	1890-1	1,644 4 3	1,736 16 9	7 12 9	—
1876-7	1,847 12 0	1,591 5 5	5 5 0	—	1891-2	1,623 3 8	1,476 16 7	—	41 12 1
1877-8	1,656 16 6	1,345 25 4	—	315 16 7	1892-3	1,662 10 10	1,537 3 4	125 16 4	—
1878-9	1,855 5 6	1,655 0 3	—	210 16 8	1893-4	1,646 3 5	1,538 8 2	—	45 8 11
1879-80	1,574 1 9	1,666 53 1	—	99 17 51	1894-5	1,864 6 3	1,842 0 0	—	47 15 0
1880-1	1,587 8 11	1,234 8 2	3 10 8	—	1895-6	1,751 16 6	1,728 16 8	—	308 27 3
1881-2	1,576 14 3	1,274 28 11	342 16 4	—	1896-7	1,897 15 0	1,666 16 7	—	36 4 7
1882-3	1,518 5 5	1,427 25 3	268 11 8	—	1897-8	1,848 12 8	1,557 15 4	—	256 1 8
1883-4	1,608 1 8	1,473 3 8	436 17 7	—	1898-9	1,728 15 0	1,523 16 12	—	13 3 2
1884-5	1,577 4 7	1,448 0 6	162 0 11	—	1899-0	1,761 8 8	1,723 0 7	46 1 3	—
			3,248 8 8	505 7 8	1900-1	1,808 4 8	1,604 8 8	—	314 16 8
					1901-2	1,860 16 8	1,676 2 8	—	78 12 8
					1902-3	1,914 12 12	1,547 12 7	246 1 5	—
					1903-4	1,933 15 3	1,538 16 8	395 16 5	—
					1904-5	1,944 12 13	1,568 16 8	55 11 11	—
					1905-6	1,878 12 10	1,676 8 8	—	436 21 6
					1906-7	1,877 8 4	1,604 15 7	—	127 0 8
								609 4 8	1,532 8 8

THE RALPH MACKLIN SCHOOLS.

No. XIII. (a.)

Statement, J. J. TWISS, p. 155.

SCHEDULE showing the present PROPERTY of the CHARITY.

- £5,339 17s., Government New £3 per Cent. Stock. (Held by the Commissioners of Charitable Donations and Bequests in trust for the Charity.)
- £569 19s., India £4 per Cent. Stock.
- The School-houses, Nos. 41, 42, 43, and 44, Moleworth-street, Dublin, held under a lease from the Select Vestry of the Parish of St. Ann's, for Twenty-one Years from the 29th day of September, 1874, at the rent of 1s.
- £60 and £5, debts due by the Select Vestry of St. Ann's, being the contribution agreed to be paid by them towards certain repairs in the school premises, and towards expenses of gas, &c.
- £75, portion of the yearly subscription payable by the Select Vestry, and accrued due before such subscription was discontinued, and agreed to be paid by the said Vestry.

No. XIII. (b.)

STATEMENT of the NUMBER of PERSONS receiving BENEFIT under the TRUST, as SCHOLARS or otherwise, in year 1886.

Scholars in Week-day Schools—		Teachers—	
Boys,	25	Male School,	1
Girls,	24	Female School,	1
Infants,	63	Infant School,	2
Scholars in Sunday Schools—		Drawing Master,	1
Boys,	87	Servants,	3
Girls,	65		
Infants,	87		

No. XIII. (c.)

Evidence, R. H. BRADSHAW, p. 161.

LIST of NAMES of GOVERNING BODY.

1st.—GOVERNORS and GOVERNESSES of the MAGDALEN ASYLUM.

- | | | | |
|----------------------------------|--------------------------------|---------------------------|----------------------------|
| 1. Rt. Hon. the Vice-Chancellor. | 6. H. P. Jellat, esq., q.c. | 15. The Hon. Mrs. French. | 21. Mrs. John Lewis Moore. |
| 2. Rt. Hon. Mr. Justice Leeson. | 7. N. E. Watson, esq. | 16. Mrs. R. Orms. | 22. Mrs. K. M. Langford. |
| 3. J. H. Orpen, esq., LL.D. | 8. Maurice Brooke, esq. | 17. Mrs. Fuller. | 23. Mrs. Deane. |
| 4. R. H. Rossberry, esq. | 9. Edmund R. L. Marshall, esq. | 18. Mrs. Henry Warren. | 24. Mrs. J. H. Kincaid. |
| 5. R. W. Books, esq. | 10. Mrs. Digne La Touche. | 19. Mrs. B. W. Roche. | 25. Mrs. Henry Warren. |
| 6. Wellington Dewey, esq. | 11. The Countess of Mountrath. | 20. Mrs. H. A. Cooper. | 26. Mrs. Thomas C. Roche. |
| 7. John Barron, q.c., Sol.-Gen. | 12. The Lady Arden. | | |

2nd.—THE CHURCHES of SAINT ANN'S, SAINT ANDREW'S, and SAINT WERNER'S PARISHES.

- | | | | |
|-----------------------------------|---------------------------------|----------------------|----------------------------------|
| 1. Rev. Canon Charles D. Russell. | 2. Rev. Samuel C. Hughes, LL.B. | 3. Rev. J. Ady, D.D. | 4. Rev. Howard J. Goldough, M.A. |
|-----------------------------------|---------------------------------|----------------------|----------------------------------|

RALPH MACKLIN SCHOOLS.

No. XIII. (d.)

Statement, J. J. TWISS, p. 137.

The following is the resolution passed by the general vestry on December 23rd, and communicated by them to the select vestry:—

Moved by J. H. KINCAID, Esq.; seconded by R. J. ROBERTSON, Esq., and passed:—

* That the resolution passed by the general vestry on June 9th, 1884, approving of the Ralph Macklin Schools being placed under the National Board was, in fact, only a representative expression of opinion on the general question, and was, as such, communicated to the Governors; but in point of fact, ought to have been, in the first instance, communicated to the select vestry, to whom alone the charge of parochial funds and buildings is committed by the constitution of the Irish Church. That the general vestry, therefore, now request the select vestry to consider and to arrange with the Governors of Ralph Macklin Schools the terms and conditions on which the proposed change in the constitution and management of those schools—if finally determined on between them—ought to be carried into effect. At the same time the general vestry, as representing the parishioners, request the members of the select vestry to take into account that, since the resolution of June 5th was carried, new circumstances have arisen that seem to make action on that resolution

no longer necessary, and perhaps impossible. A primary school having been opened in September in the immediate neighbourhood, with which, as regards numbers, resources, and efficiency, the schools in Moltenworth-street cannot compete, it appears to the general vestry that a separate school is no longer necessary for the children of this parish; and since these can now receive a superior education, free of cost, in a school under efficient Church control, and also in the parish, the general vestry think it unreasonable to expect that the parishioners should continue to subscribe for the maintenance of a school the need of which is superseded by circumstances and comes independent of the Governors and of the vestry. They, therefore, recommend the select vestry to confer with the governors of Ralph Macklin Schools on the advisability of dissolving, by mutual consent of each body, the contract made between them on certain conditions. The General Vestry are of opinion—

"1st.—That the Schools referred to are not now needed for the children of this parish; and

"2nd.—That the parishioners cannot be asked, after the close of the present year, to place at the disposal of the select vestry any funds for their support."

No. XIII. (e.)

RALPH MACKLIN SCHOOLS.

Letter from the DEAN of the CHAPEL ROYAL to the SECRETARY EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

St. Ann's Vicarage, 29th November, 1885.

SIR,—Being interested as vicar of this parish in all educational matters connected with it, I desire to draw your attention to the schools in Moltenworth-street, known as "Ralph Macklin's Schools." On reference to the report of the Endowments Commission you will find the circumstances set forth under which these schools were transferred from Stephen-street to Camden-street, and at a later period to this parish. It is enough for me—while ready to appear before you in person to answer further inquiries—to mention that the contest (there referred to) between St. Ann's parish and the Governors of the Ralph Macklin Schools was carried out till the close of 1884, when the resolution was passed by the general vestry, which will be found at the foot of page 8 in the Parochial Report for 1884, forwarded with this letter. The statement on pages 7, 8, 9, sets forth very plainly the present circumstances of the schools, and their relation to this parish.

I have respectfully to invite your attention to the following main points:—

1. These schools have been rendered unnecessary by the recent establishment of a first-class primary school in the adjoining street, in connection with the National Board. With that the Ralph Macklin school cannot hope to compete. About twenty children belonging to the parish attend the Ralph Macklin school, and the remaining pupils come from surrounding districts already supplied. There is abundant room for all in the Kildare-place school. If the Commissioners of National Education should see fit to continue the grant made very recently to the Macklin schools (although in immediate proximity and connected with the same religious denomination), they will be expending public money in a way which is not merely unnecessary, but tends to divert the children of the neighbourhood, so far as it may attract them at all, from the better educational institution, as well as to interfere, in ways easily understood, with the due discipline of both establishments.

2. I ask your attention to the very objectionable constitution of the Ralph Macklin Board, under the terms of Mr. Macklin's will. The Governors are to

be "the Governors of the Magdalen Asylum, Leeson-street, for the time being, assisted by the curates of the parishes of St. Ann, St. Andrew, and St. Werburgh." The rectors of the parish in which the school may be situated is absolutely excluded from all control or interference; while those who are from time to time elected as Governors of the Magdalen Asylum find themselves, without notice, without their knowledge, choice, or consent, constituted thereby, through the arbitrary appointment of a dead man, of whom they never heard, as ex-officio governors of another entirely foreign institution, which may be at any part of the city, which has in fact been moved from place to place, and which involves duties and responsibilities wholly alien from those which they had meant to undertake. Consequently, as a body, they have taken little interest in the schools, which were for many years, to my knowledge, left chiefly to the management of the curates of the parishes named. Indeed, as the minute book will show, they were for a very long time under the almost sole control of the Rev. George Becker, Rector of Maynooth, formerly curate of St. Andrew's parish. After he ceased to hold that curacy, he was not legally a Governor at all, yet acted in that capacity and as treasurer of the schools for many years, in fact, up to the time of his death. Within the past two years a certain number of the governors of the Magdalen Asylum have attended more regularly, but chiefly because matters of controversy have arisen between them and the select vestry of this parish. But it is not for the benefit of this parish, nor for the educational interest of the children belonging to it, that the present state of things should continue.

If I were at liberty to submit a scheme for the future disposal of the endowment of some £200 per annum, and for the better administration of the funds which Mr. Macklin bequeathed for the maintenance of a school for the poor, I should venture to suggest that the Board of the Ralph Macklin school, as at present constituted, be dissolved, and the endowment handed over to the Representative Body of the Church of Ireland, in trust, for the use of the Kildare-place Training College and the primary schools connected therewith. I name these schools because (1) they gather in many children from the districts which Mr.

Macklin seemed to have in view when he particularly associated in the management of the schools the curates of the parishes of St. Ann, St. Andrew, and St. Werburgh; (3) because they will continue to extend educational advantages to children of all denominations, adding the protection of a conscience clause, such as Mr. Macklin's will does not contain; (4) because I believe that the appropriation of the endow-

ment to the schools I have named would secure the permanently effective administration of the fund, and put an end to the present anomalous and unserviceable character of the institution.

I have the honour to be your obedient servant,

H. H. DICKINSON, D.D.,

Vicar of St. Ann's Parish.

No. XIII. (f.)

EXTRACTS FROM ADDRESS TO PARISHIONERS OF ST. ANN'S PARISH, June, 1885.

PAROCHIAL ASSESSMENT FUND.

This fund is applicable to the payment of the organist, sexton, and assistants, the clearing and maintenance of the church fabric, payment of organ-blower and bell-ringer, lighting, fuel, and other annual expenses. The church, as all of us know, greatly needs repainting, and a thorough cleaning. This has not been done for nearly seventeen years. But the select vestry cannot undertake the expense until and unless the whole sum necessary (about £200) is raised by special donations. We invite contributions, therefore, for this purpose, and have already received some promises. It will be seen from the statement which follows that the select vestry have contracted a debt to their bankers, mainly by overdrawing the parochial assessment fund to meet expenses on the school account. They have, however, in accordance with the resolution of the general vestry, been obliged to limit all payment for the schools to the amount of such subscriptions as may be specially subscribed towards that object. It will be seen also on last page that the parochial debt now stands in the names of the vicar and churchwardens. Our bankers will not allow any further drafts against that account, and we have undertaken to lodge each week, towards the discharge of this serious debt, whatever sum can be devoted weekly from the church offertory. In this manner, with help of special donations and collections, we succeeded in clearing off the debt on our church building fund, and there is no other way by which we can hope to rid the parish of the weight of debt which has, in truth, been allowed by us to increase too much in the effort to maintain our schools. With regard to those latter, I will only here repeat a statement which has been formally submitted to the governors of the Ralph Macklin schools, and which will explain the present position of the question.

I have delayed this annual report in expectation of being able to speak more definitely, but am unable to add anything to the following document, which was approved by the select vestry early in December last, and to which no final answer has yet been given.

"The select vestry of St. Ann's parish, in accordance with the request of the Governors of Ralph Macklin Schools, place before you the following statement:

"Under the terms of agreement, mentioned by the Board of Charitable Donations and Bequests in 1874 (though never completed or signed by all the parties concerned), it was conveyed that the select vestry of St. Ann's parish should assign to the Governors a loan, for twenty years, of the premises on Moleworth-street, at a rent of one shilling per annum: and that (so long as the schools should be efficiently conducted) the vestry should, *out of the parish funds*, pay to the said Governors the sum of £180 per annum, in consideration of the free education of two children of the parishes of St. Ann, St. Andrew, and St. Werburgh; the vestry being further accountable for necessary repairs, which have amounted to a considerable average per annum.

"The select vestry have carried out those terms of agreement, just by year, since 1874. But the parish funds from all sources, available to meet the foregoing charges have fallen short of what was required by about £100 per annum. The consequence is that (owing especially to those ten years with a considerable debt on the schools already existing) the select vestry have, in meeting those demands, accumulated an additional debt of over £4,000. The whole amount due by the parish to their bankers, stands at present at £4,355 12s. 6d. On this the select vestry are obliged to pay interest at 5 per cent.

"In point of fact the select vestry have been paying for school expenses, in a very large extent, by over-drawing their bank account. The bank has declined to sanction any further overdraft. The

debt balance has been placed to the account of the vicar and churchwardens for the time being, who have undertaken to lodge the amount of the weekly offertory (over and above what is required for the poor) towards liquidation of the debt already incurred. Independently of voluntary subscription, the vestry have established an 'parish funds' of their disposal for school purposes, with the exception of 240 per annum, derived from sale of old school premises in School-house lane; but these constitute the only available source towards repayment to the bank of overdrafts upon the school account, and towards meeting the expenses of necessary repairs. In fact, for three latter a sum of £200 is annually due to the Governors of Ralph Macklin Schools on account of certain repairs executed on the schools of last year, and will have to be paid out of the above said funds when the select vestry shall perceive them. This source of income has been, in short, exhausted.

"The offertory, as being a 'treasuries' is not included in the 'parish funds' over which the select vestry has any right of disposal as laid down under the statutes of the 17th Church. The law of the Church, as expressed in the Rubric of the Communion Office, being that the offertory 'shall be disposed of to such pious and charitable uses as the vicar and churchwardens shall think fit.'

"With regard to voluntary subscriptions, the select vestry have already forwarded to the Governors of Ralph Macklin Schools copies of a resolution passed by a meeting of registered members of the general vestry, held on December 22, 1884.

"That resolution contains the following words:—

"A primary school having been opened in September in the immediate neighbourhood, with which, as regards numbers, resources, and efficiency, the schools on Moleworth-street cannot compete, it appears to the general vestry that a separate school is no longer necessary for the children of this parish; and since there can now receive a superior education, free of cost, in a school under efficient Church control, and also in the parish, the general vestry think it unreasonable to expect that the parishes should continue to subsidize for the maintenance of a school the need of which is superseded by circumstances and circumstances independent of the Governors and of the vestry. They, therefore, recommend the select vestry to confer with the Governors of Ralph Macklin Schools on the expediency of dissolving, by mutual consent of each body, the contract made between them on certain conditions. The general vestry are of opinion—

1. That the schools referred to are not now needed for the children of the parish.
2. That the parishes cannot be asked, after the close of the present year, to place at the disposal of the select vestry any funds for their support."

"The parishes having come to the conclusion that the schools in Moleworth-street are not now needed, have declared that they are not inclined, hereafter, to place any funds at the disposal of the select vestry for their support. The members of the select vestry are, by the terms of agreement, as a body, only for the expenditure of such sum as may be reasonably solicited and placed in their hands, and they are, therefore, compelled to give formal notice to the Governors of Ralph Macklin Schools that, until and unless voluntary contributions may be given for the said schools, it will not be in the power of the select vestry to make any further payments. They fully recognize that, under such circumstances, they have no claim for the free education of the children of the parish, and think it desirable, on this and other accounts, that they should be transferred at once to the schools connected with the Church Training College in Wilkes-place.

"The select vestry can more express their regret at the existence of circumstances which they are powerless to prevent or control, and are most willing to arrive, by mutual and friendly conference, at any solution of the difficulty that can be reached.

"The following members of the vestry have been authorized to forward the foregoing statement, and to confer with the Governors if they desire it:

H. H. Dickinson, D.D., Chairman.
 Sir George H. Foster, M.D., Churchwardens.
 W. G. Brooks, esq.,
 B. J. Robertson, esq.,
 S. R. Wilson, esq.,
 W. J. Cooper, esq.,
 Robert Boston, Parochial Sub-Treasurer and Secretary."

No XIII. (g.)

See Evidence, p. 159.

[R. MACKLIN'S SCHOOLS].—SUPPLEMENTAL STATEMENT handed in by H. H. DICKINSON, VICAR, with regard to ST. ANN'S SCHOOL BUILDINGS.

Though the interest of the R. Macklin Governors in the remainder of the lease of these premises comes under the consideration of the Commissioners, subject to the consideration of the validity of such lease, I beg leave respectfully to maintain that the School Buildings cannot be regarded as an "Educational Endowment" coming under the classes of the Act.

1. The building was erected in 1858 by large private contributions—the Vicar, and some four or five others, subscribing £100 each—and in part out of the offertories, which are not "Educational," but for the poor, and "for such other pious and charitable uses as the vicar and churchwardens may direct."

The buildings are therefore a "Parochial Endowment" but not necessarily "educational."

2. From the time the building was erected—as the old school before—the school held therein was strictly "Denominational." It was, and still is, under the exclusive government of members of the Church of Ireland. The only religious instruction given was in accordance with that church, and it was compulsory, as the evidence of the late Mr. W. D. La Touche before the Education Commission proves.

3. The Select Vestry being governors of the school, and having, under the constitution of the Irish Church, charge of all parochial buildings, made the arrangement with the R. Macklin Governors, which is known

to the Commissioners. But they never consented to the placing of the schools under the National Board, and the consequent adoption of a "conscience clause." The General Vestry expressed an opinion, by a majority of only one, in favour of that step, but the Select Vestry protested against it.

4. The buildings used for school purposes are in connexion and communicate with Mollesworth Hall, and some of its rooms are used in connexion therewith on occasions of lecturing.

5. If the R. Macklin School be removed from the premises—as it assuredly will when the lease expires—the Select Vestry, as Governors, will still desire to have the premises available for—

1. Sunday Schools.
2. (As at present) for Classes for Technical Instruction.
3. For Classes of Religious Instruction.
4. For Classes of Vocal Music.

6. The premises could not be used as a school at all without consent of the Incumbent and Select Vestry for the time being, as they have no rent, and the plot allowed for use as a playground is the churchyard, and such permission can only be given by the authorities above referred to, and may at any time be withdrawn.

H. H. DICKINSON, D.D., VICAR.

LOVE'S CHARITY.

No. XIV. (a.)

Evidence, Canon GREENE, p. 174.

DETAILED RENTAL OF LANDS comprised in this ENDOWMENT.

County, Barony, and Four Law Towns in which Lands are situated.	Designations.	Tenant's Name.	How held.	Gift Days.	Area of Holding, Irish Plantation Measures.	Yearly Rent.	Observations.
					A. R. P.	£ s. d.	
Parish of Saint George, North Dublin Union, and County of the City of Dublin.	Freehold estate of James Gordon alias Gordon, and Ecclesiastical (Ballybough-road, Dublin).	M. Battersby, esq., 12 (Representative of John Bradley).	Held under Lease, dated 10th Dec. 1819, for 999 years.	20th March and 20th September.	1 2 0	72 0 0	Tenant is allowed 2s. 6d. per annum, under an award, made by the Libby Branch of the United Great Western Railway.
Parish of Saint Thomas, North Dublin Union, and County of the City of Dublin.	1 to 11 Foster-street, 2 to 4 Foster-avenue, 1 to 7 Ockley-avenue, Allen's Cottage and Plot, all situate in Ballybough-road, Dublin.	J. C. DeBelle, esq., (Representative of William Cullen).	Held under Lease from Trustees, dated 20th October, 1814, for 999 years.	10th March and 20th September.	4 1 26	12 10 10	
Parish of Saint Catherine, St. Dublin Union, and County of the City of Dublin.	14, Thomas-street, and 2, 3, 4, John's-lane, adjoining same.	Mr. C. Conroy, (Representative of John Early).	Held under Lease from Trustees to John Early, dated 10th October, 1811, for 999 years from 1st November, 1861.	1st May and 1st November.	Houses and Premises.	40 0 0	

No. XIV. (b.)

Evidence, Canon GREENE, p. 174.

DETAILED SCHEDULE OF INVESTED FUNDS comprised in this ENDOWMENT.

Nature of Security.	Capital.		Annual Revenue, Dividend, or Interest.	Name in which Investment made.
	Amount of Stock.	Present Market Value.		
	£ s. d.	£ s. d.	£ s. d.	
Government New Three per cent. Stock.	7,333 5 5	7,333 5 5	220 0 0	The Rev. William C. Greene and Francis Longworth Deane, esq.

LOVE'S CHARITY—continued.

No. XIV. (h.)

ABSTRACT OF ACCOUNTS for Years from 1881 to 1885, both inclusive.

APPENDIX B

INCOME.			EXPENDITURE.		
		£ s. d.			£ s. d.
1881.	To Rents,	284 15 2	1881.	By Law Costs,	20 12 1
	Dividends, Government Stock,	250 0 0		Cost of Report on House,	1 1 0
	Interest allowed by Bank,	5 19 0		Fire Insurance, 25, Thomas-street,	1 1 0
				Printing, Postage, &c.,	2 5 6
				Apprentice Fees paid, 55,	255 15 7
				Receiver and Assistant Secretary's Fees,	12 12 0
		379 17 2			291 7 2
1882.	To Rents,	215 17 6	1882.	By Postage, Cheque Book, &c.,	5 5 4
	Dividends, Government Stock,	210 0 0		Apprentice Fees paid, 62,	299 16 10
	Taxes recovered,	10 15 8			305 19 2
	Interest allowed by Bank,	6 12 5			
		441 6 3			
1883.	To Rents,	20 14 11	1883.	By Receipt Book, Stationery, &c.,	1 17 6
	Dividends, Government Stock,	215 0 0		Fire Insurance, 2 years,	2 5 0
	Interest allowed by Bank,	5 5 0		Receiver and Assistant Secretary's Fees, 1882,	12 12 0
				Apprentice Fees paid, 62,	215 6 8
		216 19 11			230 0 9
1884.	To Rents,	284 15 7	1884.	By Postage, Cheque Book, &c.,	5 19 4
	Dividends, Government Stock,	220 0 0		Fire Insurance, 25, Thomas-street,	1 2 6
	Interest allowed by Bank,	2 9 0		Receiver and Assistant Secretary's Fees,	35 4 0
		487 2 7		Apprentice Fees paid, 50,	215 6 6
					233 14 4
1885.	To Rents,	125 7 11	1885.	By Postage, Cash Book, &c.,	9 11 7
	Dividends, Government Stock,	220 0 0		Fire Insurance, 25, Thomas-street,	1 2 6
	Interest allowed by Bank,	5 7 6		Receiver's Fees,	17 19 0
		350 15 5		Apprentice Fees paid, 55,	252 14 10
					269 0 12

SUMMARY.

	£ s. d.		£ s. d.
1881,	379 17 2	1881,	291 7 2
1882,	441 6 3	1882,	305 19 2
1883,	216 19 11	1883,	230 0 9
1884,	487 2 7	1884,	233 14 4
1885,	350 15 5	1885,	269 0 12
	2,001 0 10		1,420 2 4
Balance in Messrs Bank, 1st January, 1882,	253 9 4	1885. Government New Three per cent. Stock, purchased 2255 £s. 5d., making a total of that Stock, 27,025 £s. 5d.,	285 15 8
		Balance Messrs Bank, 31st December, 1885,	253 7 2
		Balance Bank of Ireland, 31st December, 1885,	180 4 0
	2,338 10 2		2,338 19 2

* Subject to verification as to two items of 45 4s. 7d. and 44 12s. 5d.

N.B.—The receipts of this year, 1885, may be taken as correct, there being no arrears of rent.

FREDERICK A. WHITTON,

Accountant to the Representative Church Body.

17th March, 1885.

KNIGHT'S SCHOOL.

No. XV. (a.)

NUMBER OF PUPILS, 1880-1885.

Knight's Endowed Schools, Number of Pupils in—

1880,	19	1882,	16	1884,	18
1881,	20	1883,	20	1885,	14
					3 P

No. XV. (b).

Evidence, Dean DICKINSON, p. 176.

RECEIPTS AND EXPENDITURE OF ST. PATRICK'S CATHEDRAL IN CONNECTION WITH KNIGHT'S CHARITIES

RECEIPTS.			EXPENDITURE.		
		£ s. d.			£ s. d.
1861.	One year's Heat Rent, less Four Hats and Income Tax.	61 13 8	1861.	Master's Salary, £40; Allowance for Coals, 2s.	40 0 0
1862.	One year's Heat Rent, less do. do.	61 2 4		Incidental, 2s 10s. 6d.; Repairs, 6s.	9 20 0
1863.	do. do. do. do.	60 3 3	1862.	Salary and Coals as before.	60 0 0
1864.	do. do. do. do.	60 12 4		Incidental, 4s 10s. 1d.; Repairs, 4s 14s. 11d.	4 20 11
1865.	do. do. do. do.	60 7 7	1863.	Salary and Coals as before.	60 0 0
				Incidental, 2s 10s. 6d.; Insurance, 11s. 6d.	2 27 0
			1864.	Salary and Coals as before.	60 0 0
				Repairs and Bookbinding, 2s 10s. 6d.; Repairs, 11s.	2 0 0
				Travelling, 11s. 6d.	0 11 0
				Donation to St. Peter's Almshouse in lieu of services.	50 0 0
				Annual Payment to same for 1864.	5 4 8
			1865.	Salary and Coals as before.	60 0 0
				School Repairs, 2s 10s. 6d.; Insurance 11s. 6d.	2 27 0
				Annual Payment to St. Peter's Almshouse.	5 4 8

JOSEPH W. STURTE, D.D., Treasurer of St. Patrick's Cathedral.

HIBERNIAN MARINE SOCIETY.

No. XVI. (a.)

Referred to in Evidence of F. DE LAURE, p. 180.

LIST OF MEMBERS

Ex-Officio.

His Grace the Lord Archbishop of Dublin.
The Venérable the Archbishop of Dublin.

Life Members.

Charles Polgreen, Esq.
Henry Roe, Esq., J.P.
The Right Honourable Lord Ashurst.
Sir Edward G. Guinness, Bart.

Annual Members.

Rev. Andrew Campbell, M.A.
Bartholomew O'Neill, Esq.
Henry Johnston, M.A.
George Cowie, Esq.
Charles Schuyler, Esq.
Thomas S. Schuyler, Esq.
Samuel Humphill, Esq.
Isaac Threlkeld, M.A.
Henry Alexander Hamilton, Esq.
Rev. Thomas Forster.
Thomas Curtis, Esq.
Marcus T. Moore, Esq.
Rev. Edward G. Campbell.
Captain Charles Pepper.
Rev. J. B. Ellis, Esq.
Arthur Robert Collins, Esq.

DRUMMOND INSTITUTION, RETURNS.

No. XVII. (a.)

1. Present number of inmates of the Institution:					
60 Orphans.					
1 Matron.					
2 Teachers.					
2 Servants.					
1 Gardener or Outkeeper.					
2. Religious Denominations:					
28 Children, Protestant.					
5 Adults, Protestant.					
17 Children, Roman Catholic.					
1 Adult, Roman Catholic.					
3. Resources of the Institution:					
£25,000 bequeathed by the late John Drummond, esq., invested by the Trustees in Government New Three per Cent. Stock and Consols, also Great Southern and Western Railway Debenture Stock. This was supplemented by Donations.					
4. Teachers and Employees at present in the Institution:					
1 Matron or Head Matron, Protestant.					
1 Teacher, Roman Catholic.					
1 Assistant Teacher, Protestant.					
1 Housemaid, Protestant.					
1 Cook, Protestant.					
1 Gardener, Protestant.					
5. Particulars of the charge of £268 16s. 3d. for salaries, &c., in the Report of 1865:					
Salaries are £100 12s.; Collector's Fees, £35 12s. 11d. Three inmates, viz.—Teacher, Housemaid, and Gardener, had					
their salaries increased during the year. The Rev. Canon McDonough receives £20 per annum car-bire for visiting once a week. The Secretary having been appointed shortly before this was due in 1864, was not aware of it until brought to his notice, therefore made the two payments 1864 and 1865 in one year, 1865.					
6. Provision made for the religious instruction of the children:					
The Protestant children are catechised by the Rev. Canon McDonough, M.A. (Rector of the Parish), for one hour weekly, and also by the Protestant Teacher for one hour daily. The Roman Catholic children attend the Rev. M. Dowling, P.P. for one hour weekly, and are also instructed by the Roman Catholic Teacher for one hour daily.					
7. Ages of the children generally in the Institution:					
Between seven and sixteen years.					
Their subsequent career:					
Some few are taken by their friends when they have reached the age to leave the Institution. The majority are sent out as domestic servants.					
8. How often the Committee of Seven meets:					
Once a month.					
What is the average attendance of members:					
Four.					

MORGAN'S ENDOWED SCHOOL, CASTLEKNOCK.

No. XVIII. (a.)

Evidence, E. HARRISON, p. 193.

SUMMARY ABSTRACT of the ACCOUNT for the year to November, 1885, from the DETAILED STATEMENT to be submitted to the TRUSTEES.

Dr.					Cr.			
RENTAL.								
Arrears from last Rental due (29th Sept., or) 1st November, 1883,				£	s	d.		
One year's rent due (29th Sept., or) 1st November, 1884,				1,756	18	6		
				1,594	37	8		
Received of the same,				1,607	10	8		
Arrears remaining due (15th Sept., or) 1st November, 1884,				57	7	0		
PAYMENTS.				RECEIPTS.				
To Balance due by the Trustees	£	s	d.	£	s	d.		
Due last Account,	—	—	—	10	4	10½		
Payments of Rent,	335	0	3½					
Payments of Rentcharge (perpetual),	362	5	0					
Payments to Irish Church Temporalities Commissioners of Rentcharge converted into Termination Annuities, tenth yearly payment,	48	4	6					
Fid. yearly instalment to Irish Church Temporalities Commissioners for balance of purchase of Newcastle (available 1905),	60	18	3					
Fid. Irish Church Temporalities Commissioners yearly interest on £2561 7s. 6d. mortgage for part purchase of Mill Hill,	25	12	4					
Fid. Four Eels and Sweeney Tax, 6s.,	157	9	1					
Fid. Agency Fees,	90	7	6					
Payments for Repairs, Fittings, &c.,	15	15	0					
Payments for Food,	255	15	8					
Payments for Clothing,	77	4	11					
Payments for Coal, Oil, &c.,	34	18	11					
Payments for Master's Account, including Salaries and incidental Expenses,	290	18	2					
Payments for Salaries of Medical Attendants, Carriage, &c.,	45	0	0					
Fid. Lawrence Freeman,	4	10	0					
Sundry and Miscellaneous Payments,	14	17	0					
Total Payments,	1,746	0	14	Total Receipts,	1,607	10	8	
To Balance to the credit of the Trustees,	304	11	7	By Balance (if any) due by the Trustees,	—			
	1,950	11	7				1,903	18

No. XVIII. (b.)

See Evidence, p. 195.

MORGAN'S ENDOWED SCHOOL, CASTLEKNOCK.

Attendance of Local Committee.

Local Committee.	1885.												1886.											
	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	May.	June.						
Lord Anson, Woodlands, Clonsilla.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						
Rev. E. Harrison, Esq., Abbotstown, Castleknock.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						
Charles Thompson, Esq., Holywood Park, Malinsford.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						
Colonel Hartley, Sandpark, Clonsilla.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						
J. Fox Goodman, Esq., Ashbrook, Phoenix Park.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						
John W. Brooks, Esq., Kilmogran, Castleknock (first summoned in April, 1884).	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1						

A. MURPHY.

June 21, 1886.

(1) Absent on the regular day of meeting.

(2) Absent notified by an a future day, were absent.

3 P 2

WUOLAH, WUOLAH, WUOLAH

Wardlaw, D. W. 1999. p. 100.

Journal of Health Politics, Policy and Law

[illegible]

MERICK'S SCHOOL, CASTLEKNOCK—continued.

APPENDIX B.

No XIX. (b.)

Referred to in Evidence of Canon JELLYE, p. 201.

ABSTRACT ACCOUNTS of REVENUE and EXPENDITURE for Years 1880, 1881, 1882, 1883, and 1884.

REVENUE.			EXPENDITURE.		
		£ s. d.			£ s. d.
1880.	To Balance in Hands from 1879, . . .	445 7 2	1880.	By Balance due Land Agent on last Account, . . .	10 0 0
	" Gross Rents received from Landed Property, . . .	340 6 8		" Head Rent and Tithe-rentcharge, . . .	18 0 10
	" Dividends on £12,041 18s. 5d., . . .	20 19 8		" Insurance Premium, . . .	7 14 0
	" Consols, . . .	160 15 0		" Bailiff's Salary, . . .	5 0 0
	" Fees paid by People, . . .			" Poor Rate and Income Tax, . . .	44 4 0
				" Architect's and Valuer's Charges, . . .	7 18 6
				" Purchase of Head Rent, including Costs of Deed, . . .	45 11 10
				" Agency Fees on Rents collected, . . .	45 8 4
				" Stamps and Postages, . . .	1 8 4
				" Housekeeping Expenses, . . .	449 7 5
				" Coal and Chandlery, . . .	44 8 11
				" Clothing, . . .	71 18 10
				" Catechist and Secretary, . . .	40 0 0
				" Matron, . . .	20 0 0
				" Housekeeper, . . .	40 0 0
				" Darning Master, . . .	2 0 0
				" Montreson, . . .	7 0 0
				" Servants, . . .	15 0 0
				" Medical Attendance, . . .	33 18 10
				" Payments to Four Parishes as Interest on sum of £12,000 late Curfew, . . .	15 0 0
				Balance—	
				Cash in Bank, . . . 4351 7 6	
				Cash in Hands, . . . 23 1 4	
				Due by Land Agent, . . . 37 14 10	
		1,527 6 0			493 3 8
					1,527 6 0
1881.	To Balance in Hands from 1880, . . .	400 8 8	1881.	By Head Rent and Tithe-rentcharge, . . .	11 8 10
	" Gross Rents received from Landed Property, . . .	363 8 4		" Insurance Premium, . . .	7 14 0
	" Dividends on £12,041 18s. 5d., . . .	20 14 6		" Bailiff's Salary, . . .	5 0 0
	" Consols, . . .	145 0 0		" Poor Rate and Income Tax, . . .	44 35 9
	" Fees paid by People, . . .			" Architect's Fee, . . .	10 0 0
				" Agency Fees on Rents collected, . . .	42 12 2
				" Postages, . . .	1 8 4
				" Housekeeping Expenses, . . .	494 14 5
				" Coal and Chandlery, . . .	53 17 5
				" Clothing, . . .	75 14 7
				" Medical Attendance, . . .	76 12 1
				" Catechist and Secretary, . . .	40 0 0
				" Matron, . . .	20 0 0
				" Housekeeper, . . .	40 0 0
				" Montreson, . . .	7 0 0
				" Servants, . . .	15 0 0
				" Medical Attendance, . . .	15 0 0
				" Payments to Four Parishes, . . .	95 0 0
				Balance—	
				Cash in Bank, . . . 4370 2 0	
				Cash in Hands, . . . 37 11 4	
				Due by Land Agent, . . . 5 6 3	
		1,489 1 5			493 19 7
					1,489 1 5
1882.	To Balance on Hands from 1881, . . .	400 15 7	1882.	By Head Rents and Tithe-rentcharge, . . .	11 1 5
	" Gross Rents received from Estates, . . .	354 13 4		" Insurance Premium, . . .	7 14 0
	" Dividends on £12,041, Consols, . . .	20 12 0		" Bailiff's Salary, . . .	5 0 0
	" Fees paid by People, . . .	160 10 0		" Poor Law and Income Tax, . . .	44 8 4
				" Costs of proceedings against Tenants, . . .	3 0 0
				" Agency Fees on Rents collected, . . .	45 4 8
				" Postages, . . .	1 8 4
				" Housekeeping Expenses, . . .	449 15 10
				" Coal and Chandlery, . . .	54 17 9
				" Clothing, . . .	50 18 9
				" Medical Expenses (including Fee for Inspection), . . .	61 12 11
				" Catechist and Secretary, . . .	40 0 0
				" Matron, . . .	20 0 0
				" Housekeeper, . . .	40 0 0
				" Montreson, . . .	7 0 0
				" Servants, . . .	14 0 0
				" Medical Attendance, . . .	15 0 0
				" Payments to Four Parishes, . . .	92 8 0
				Balance—	
				Cash in Bank, . . . 4456 11 8	
				Cash in Hands, . . . 37 11 4	
				Due by Land Agent, . . . 21 8 10	
		1,487 14 11			493 5 11
					1,487 14 11

MERCER'S SCHOOL, CASTLENOCK—continued.

No. XIX. (b.)

ABSTRACT ACCOUNTS OF REVENUE and EXPENDITURE for Years 1880, 1881, 1882, 1883, and 1884—continued.

REVENUE.			EXPENDITURE.		
		£ s d			£ s d
1880.	To Balance in Hands from 1879, .	479 8 11	1880.	By Head Rents and Tithes—rent-charge, .	11 7 4
	" Gross Rents received from Estates, .	855 18 9		" Insurance Premiums,	5 13 0
	" Dividends on £2,041, Consols, .	59 19 8		" Raffle,	5 0 0
	" Fees paid by Pupils,	172 10 0		" Poor Rate and Income Tax, . . .	45 3 0
				" Agency Fees on Rents collected, .	42 15 11
				" Postages,	1 8 8
				" Housekeeping Expenses,	474 18 6
				" Coal and Chandlery,	48 14 8
				" Clothing,	27 9 6
				" Incidental Expenses,	99 13 5
				" Catechist and Secretary,	40 0 0
				" Maroon,	50 0 0
				" Housekeeper,	40 0 0
				" Matroness,	7 0 0
				" Servants,	16 0 0
				" Medical Attendance,	15 0 0
				" Payments to Four Parishes, . . .	82 8 0
				Balance—	
				Cash in Bank, £455 2 8	
				Cash in Hands 49 10 0	
	Small difference,	0 0 04			505 12 8
		1,561 17 44			1,561 17 44
1884.	To Balance in Hands from 1883, .	885 18 8	1884.	By Head Rents and Tithes—rent-charge, .	11 4 4
	" Gross Rents received from Estates, .	827 16 5		" Insurance Premiums,	5 12 0
	" Dividends on £2,041, Consols, .	59 14 7		" Raffle's Sale,	5 0 0
	" Fees paid by Pupils,	187 6 0		" Poor Rate and Income Tax, . . .	54 7 7
				" Premiums,	1 5 4
				" Low Corn and expenses of storing	
				Yamato,	7 16 10
				" Agency Fees on Rents collected, .	40 18 0
				" Housekeeping Expenses,	453 13 4
				" Coal and Chandlery,	51 11 10
				" Clothing,	65 10 1
				" Incidental Expenses,	50 15 0
				" Raffle,	125 13 0
				" Catechist and Secretary,	40 0 0
				" Maroon,	50 0 0
				" Housekeeper,	40 0 0
				" Matroness,	7 0 0
				" Assistances,	9 0 0
				" Servants,	13 0 0
				" Medical Attendance,	15 0 0
				" Payments to Four Parishes, . . .	82 8 0
				Balance—	
				Cash in Hands, £480 8 8	
				Cash in Bank, 572 2 8	
		1,540 8 8			439 15 11
					1,540 8 8

No. XIX. (c.)

Referred to in Evidence of Canon JELLET, p. 303.

NAMES of GOVERNING BODY.

1. His Grace the Right Honorable and Most Reverend William Conyngham Baron Plunket, Lord Arch bishop of Dublin, and Primate of Ireland.
2. The Very Reverend John West, D.D., Dean of St. Patrick's Cathedral Church, Dublin.
3. The Reverend Morgan W. Jellett, D.D., Vicar of St. Peter's Parish, Dublin.
4. The Incumbent of St. Bride's Parish, Dublin. (Vacant).

Statement of Number of Persons receiving benefit from the Trust.

25 Free pupils (Female). | 7 Pay pupils (Female).

METHODIST FEMALE ORPHAN SCHOOL.

APPENDIX B.

No. XX. (a.)

Statement, T. CROSTHALL, p. 265.

SCHEDULE OF PROPERTY to be Incorporated under the "Educational Endowments (Ireland) Act, 1881."

No.	Description of Property.	How Endowed.	In whom vested.
1.	£2,350 18s. 4d. India Four per Cent. Stock.	Represents the original bequest of £2,000 Government Five per Cent. Stock, under WIFE of Solomon Walker, with some small gifts and bequests since added.	James Hutchinson Swaine, John Lambart Jones, and James Booth.
2.	£497 5s. 4d. India Four per Cent. Stock.	Represents £500 allocated to the Charity out of the assets of late Sir. John Barrett, B.C., under Deeds in Kyle v. Barrett.	George Sykes and James Booth, the surviving Trustees named in Deed of 27th February, 1867.
3.	No. 22 Harrington-street, Dublin.	Under Deeds dated 27th August, 1852, made between John Parns and William Nolan, first party; Henry Hodgson, second party; David Charles Lefkowsky, Samuel Parker, John Quinley Samuel, and James Booth, third party; to hold to the said Governors, their Heirs and Assigns, for ever, subject to the yearly rent of £7 4s. 6d., payable half-yearly every 25th March and 25th September, above terms.	James Booth, the sole surviving Lessee or Grantee in said Indenture.

CASTLEKNOCK PAROCHIAL SCHOOL.

No. XXI. (a.)

W. DARLING, p. 242.

To the Endowed Schools Commissioners.

MY LORDS AND GENTLEMEN—I beg to inform you that in accordance with the suggestion of Lord Justice FitzGibbon, a meeting of the parishioners of Castleknock and Clonsilla was duly called by Dr. Sadleir, and held on Easter Monday.

The first resolution that was proposed and passed unanimously was to the following effect:—That this meeting is of opinion that the Castleknock endowment should be put under the control of Endowed Schools Commissioners.

We find that the secretary to that meeting has withheld that most important resolution in his report to the Representative Church Body to be laid before

your lordships. Until lately we were under the impression that the Church Body were preparing a scheme for the proper administration of the Castleknock endowment, in accordance with the wishes of the parishioners, but finding such is not the case, the enclosed statement has been drawn up and signed. Respectfully appealing to your lordships to take such steps as may be deemed necessary for the future management of our schools,

I am, my lords and gentlemen,

Your most obedient servant,

WILLIAM DARLING.

Signed on behalf of the Memorialists.

No. XXI. (b.)

To the Endowed School Commissioners.

MY LORDS AND GENTLEMEN—We, the undersigned, beg to submit the following statement in reference to the future management of Castleknock Endowed School.

That in order to conserve the funds for the purposes intended by the charitable donors of the endowments to said school, viz. for the education of the poor children of the parishes of Castleknock, Clonsilla, and Millicent, it is hereby resolved that the funds be solely used for such purpose—that is to say, to give free, a plain, but sound English education to every pupil attending said school. And in every case where a parent requires his children to be taught any of the higher branches of education, or accomplishments, that a moderate fee be charged by the teacher for such, and that these be taught outside of the ordinary school hours.

We are strongly opposed to, and will strenuously endeavour to abolish the use of the vans, as being wholly unnecessary and uneconomical for, in spending such a large amount (£80) of the endowment, particularly as no child, however young, can be in the slightest way

inconvenienced as there are excellent National schools in all the parishes suitable for children of tender years, and that we the parishioners reap no benefit whatever from the endowment.

From the generally unsatisfactory and unaccountable statements made at present, and for past years, as to the expenditure of the funds for Castleknock School, it is highly to be desired that there be some controlling body, apart from the select vestry, appointed to see that the funds be economically disbursed.

We are, my lords and gentlemen,

Your most obedient servants,

William Darling,
George Richardson,
James McIntyre,
John Weekes,
John Blackburne,
William Clarke,
James Smyth,
John M. Connell,
John Terry,

William Stewart,
R. C. Costello,
Thomas Hart,
William Dick,
J. Marshall,
R. Smyth,
Gordon Lamb,
William Glase,
Thomas Glase.

COOLOCK AND RAHENT SCHOOLS.

Parish of Coolock.

No. XXII. (a.)

See Evidence, p. 244.

STATEMENT OF ACCOUNT.

Request of late Mrs. Preston, Newbrook, of £105, for use of Poor of Parish of Coolock, vested in Rector and Churchwardens.

Request of late Arthur Guinness, of Beaumont, of £800, one moiety for use of Parochial School, and the other for use of the Poor of Parish, vested in the Rector of parish and B. G. Darley, Esq. (deceased.)

Both Funds are invested in Government Three per Cent. Stock, and annual interest applied as follows:—

RETURN OF LAST YEAR.

EXPENDITURE.			RECEIPTS.		
1885.		£ s. d.	1885.		£ s. d.
Distributed Coal,		4 10 7	Release,		0 0 0
" Coal,		6 0 0	One Year Glebe Fund,		15 15 4
" Clothes,		1 4 0	One Year Finance Fund,		3 0 0
" School,		3 6 8			
Balance,		0 11 7			
		22 3 4			23 1 4

1st January, 1886.

JAMES C. COVILL, Treasurer.

FEMALE EDUCATION.

No. XXIII. (a.)

See p. 247, et seq.

MEMORIAL to the COMMISSIONERS OF EDUCATIONAL ENDOWMENTS from the CENTRAL ASSOCIATION of IRISH SCHOOLMISTRESSSES and other LADIES interested in EDUCATION, and the ULSTER ASSOCIATION of SCHOOLMISTRESSSES.

MY LORDS AND GENTLEMEN,—We the undersigned representatives of the above Association venture very respectfully to address you upon the important subject of the education of girls in Ireland.

We are glad to know that you are specially empowered to consider their educational claims in the course of your investigations into the conditions of the Educational Endowments of Ireland; and we beg to express our very earnest hope that you will give them all the more watchful consideration, because it is not possible for us to have them presented to you with the same argumentative force and fulness of detail with which the claims of boys are presented.

The marked success of the girls who have passed the Intermediate Examinations, and the increasing numbers of women-graduates of the Royal University who have taken the highest places in Honours in Mathematics, Physical Science, Logic, and Classical and Modern Languages, show their capacity for making the best use of all such advantages.

But the means of obtaining corresponding instruction are still less than they ought to be, and surrounded by many difficulties.

Some of these difficulties could, in our opinion, be removed or diminished by a readjustment of existing endowments, in which the long neglected claims of girls would be fully recognised; with a view to the permanent intellectual advancement of all the young people of Ireland, girls as well as boys.

We would also remind you that while the principal boys' schools possess, income derived from endowments, buildings many of them of great value, and both foundation scholarships and open scholarships, and also of course gain their share of the advantages of the Intermediate Examinations, no public assistance of any kind is given to the education of girls except by

the prizes and result fees of the Intermediate Examinations.

We leave this vitally important cause in your hands, trusting to your justice and generosity to do all in your power for its advancement, and to your wisdom and knowledge to devise a scheme by which in all parts of Ireland help may be given towards providing a good education for our girls.

We have the honor to remain,

My Lords and Gentlemen,

Yours faithfully,

DORA C. JENNETT,
President Central Association.

LOUISA D. LATHURNE,
Vice-President.

MARY J. E. WHEATLEY,
Corresponding Member for Cork.

EMILY M. MORFITT,
Corresponding Member for Galway.

MARGARET MACKENZIE,
Ladies' Collegiate School, Londonderry;
Correspondent for Londonderry Branch
of Association.

MARGARET BYRNE,
ISABELLA M. S. YOUNG,
Correspondents for the Ulster School-
mistresses' Association.

HUGHES WARREN,
ALICE OLDHAM,
Hon. Secs. Central Association of Irish
Schoolmistresses, &c.

No. XXV. (b)

RENTAL of the PROPERTY of ST. BRIDE'S PARISH from 1st August, 1884, to 1st August, 1885.
Poor Fund.

No.	Designation.	Tenant's Name.	Yearly Rent.	Gate Days.	Arrears due on last Account.	Rent since received.	Total Rent and arrears.	Rent in arrear.	Arrears due.
1	Griffin-street.	Reps. William Longfield.	£ s. d. 45 7 8	March and Sept.	£ s. d. —	£ s. d. 45 7 8	£ s. d. 45 7 8	£ s. d. —	£ s. d. —
			45 7 8		—	45 7 8	45 7 8	—	—

School Fund.

3	A. Little Ship-street.	Reps. P. H. Shirin (Mrs. Shirin)*	15 0 0	Feb. and Aug.	£ 15 0 0	15 0 0	15 0 0	15 0 0	£ 15 0 0
2	Bridge-street.	Reps. D. Whelan, per Table	30 0 0	July and January.	—	30 0 0	30 0 0	30 0 0	—
4	Coffe-street.	William Burdick	25 0 0	March, June, Sept. and Dec.	—	25 0 0	25 0 0	25 0 0	—
			16 0 0		£ 15 0 0	64 0 0	60 10 0	4 0 0	£ 16 0 0

* This party seeks a reduction of 45 in rent, and I think her entitled to it.

No. XXV. (c)

ST. BRIDGET'S PARISH in account with GEORGE L. CATHCART.

Poor Fund.

De.		£ s. d.	Co.		
1884. Nov. 10.	To Allowed Reps. Longfield, Income Tax at 5d.	£ 20 8	1884. Nov. 10.	By Cash from Reps. Longfield, half-year's Rent to 25th September, 1884.	£ s. d. 21 12 10
1884. Jan. 2.	Feld John B. Gomers, Head - East Griffin-street, One Year, 25th December, 1884. 55 10 6 Less: Rate at 5d. to 5d. Income Tax at 5d. 9 7 10	45 10 6	1884. April 20.	- Same, half-year's Rent to 25th March, 1884.	21 12 10
April 10.	- Allowed Reps. Longfield, P. Rate, 1884, at 5d. 2d. 4d. 7d.: Income Tax at 5d. 11d. 4d.	5 11 4			
August.	- Paid two half-years' Interest due School out of Payments in Griffin-street.	12 8 8			
	- Agency Fee on 45 10 6, and Charge for receipts, &c.	2 5 8			
1884. Mar. 21.	- Paid Cheque received Rev. Mr. Gomers herewith for balance, as shown at foot hereof.	20 4 11			
		42 7 8			42 7 8

School Fund.

1884. Jan. 9.	To Allowed Reps. P. H. Shirin, half P. Rate and Water Rate.	£ 0 0 0	1884. Jan. 2.	By Cash from Reps. P. H. Shirin, half-year's Rent, 1st August, 1884.	£ 15 0 0
May 4.	Reps. Whelan, per Miss Tobin, second half P. Rate and Water Rate.	0 0 0	April 15.	W. R. Burdick, two quarters' Rent, 1st December, 1884.	15 0 0
June 21.	Reps. P. H. Shirin, half P. Rate and Water Rate, 6d. Income Tax, 4d. 6d.	£ 5 10 0	May 4.	Reps. Whelan, per Miss Tobin, half-year's Rent, 1st January, 1885.	15 0 0
Aug. 16.	Reps. Whelan, per Miss Tobin, P. Rate at 5d. 6d.	£ 0 0 0	June 20.	Reps. P. H. Shirin, half-year's Rent, 1st February, 1885.	£ 15 0 0
	Reps. P. H. Shirin, P. Rate, 1884, at 5d. 5d. 11d. 4d. P. Rate Income Tax, 5d.	£ 5 11 4	Aug. 20.	Reps. Whelan, per Miss Tobin, half-year's Rent, 1st Feb. 1885.	15 0 0
	W. R. Burdick, P. Rate, 1884, at 5d. 5d. 11d. 4d. P. Rate	£ 5 11 4		W. R. Burdick, two quarters' Rent, 1st June, 1885.	15 0 0
	Sum, Income Tax, one year to April, 1885.	£ 2 2 2		Two half-years' Interest due out of Payments in Griffin-street to school.	12 8 8
	Agency Fee on 45 7 8, and charge for receipts, &c.	£ 2 14 8			
1884. Mar. 21.	Per Cheque received Rev. Mr. Gorman herewith for balance as shown at foot hereof.	£ 20 12 8			
		42 8 0			42 8 0

Balance of Poor Account. £ 20 4 11

Balance of School Account. £ 46 14 8

Cheque herewith for. £ 75 17 4

PAROCHIAL SCHOOLS OF SAINT NICHOLAS WITHOUT AND SAINT LUKE.

APPENDIX B.

No XXVI. (a.)

Evidence of W. A. HAYES, p. 271.

EXTRACT from the WILL of CHARLES POWELL, Esq., deceased.

Item—I do devise the sum of two hundred pounds to each and every the several and respective parishes following, that is to say—To Saint Peter's, Saint Kieran's, Saint Bridget's, Saint Werburgh's, Saint Andrew's, Saint John's, Saint Andrew's, Saint Catherine's, Saint James's, and Saint Luke's, making in the whole the sum of two thousand pounds, to be laid out at interest by the several Ministers and Churchwardens of the said several parishes, on the best security that can be got, by the consent of my said executors, the survivors and survivor of them, and the heirs of such survivors, by the approbation of one of the Masters of the said High Court of Chancery, upon this trust and confidence that they, the said Ministers and Churchwardens of the said several and respective parishes for the time being, do yearly for ever put out to apprentice two boys or girls, or one boy and one girl, of each of the said several parishes (of the charity boys or girls in each parish), to trades—the boys to be bred up and instructed in the art of tillage or husbandry, and the girls so as to make them good and useful servants; and in case at any time hereafter there be no charity boys and girls within the said several and respective parishes before mentioned, or that such charity of keeping boys and girls within the several and respective parishes before mentioned shall cease, then I do direct that the interest or produce be applied yearly by the said several and respective Ministers and Churchwardens in putting out to apprentice the like number of boys or girls of some poor decayed Protestant housekeepers within the said several and respective parishes, such boys and girls to be approved by my said executor or the sur-

vivors or survivor of them, or the heirs of such survivor; and I do direct that such master or masters, mistress or mistresses, to whom they shall be so put out to be Protestants.

Item—I I devise the sum of one hundred pounds, making in all the sum of one thousand pounds, to each and every of the several and respective parishes before mentioned, to be in like manner laid out at interest by the several Ministers and Churchwardens of the said several parishes, by the consent of my said executors, or the survivors or the survivor of them, and the heirs of such survivor, and by the approbation of a Master in Chancery, which interest I do direct to be paid and applied in manner following, that is to say—One moiety thereof to be distributed every Good Friday or Easter Eve to ten poor decayed Protestants living within each and every the said parishes, not entered as poor in the parish books; and the other moiety thereof to be distributed in the like manner on every Christmas Eve, and so to continue for ever.

The aforesaid bequest of £500 was lent to Mr. Edkins, Esq., of Mill-street, on a mortgage and a bond of £600. The interest, £15, is paid yearly, in July, by Mrs. Martin of New-street, who occupies the house on which the mortgage was made. Mr. Edkins increased the £15 to £18, which is distributed as follows:—

	£	s.	d.
To Treasury of Parish Schools, to apprentice two boys yearly,	0	5	4
To Churchwardens for Poor on Allm. Eve,	12	7	8
	12	12	12

EXTRACT of the WILL of PETER VATRATI, deceased.

I give, devise, and bequeath unto the Ministers and Churchwardens of the parish of Saint Luke, Dublin, and their successors, all that and those my house and premises in French-street, otherwise called Little Caffestreet, in the suburbs of the City of Dublin, held by lease from William Sandford, Esq., to Daniel Gervais, for Nine hundred and ninety-four years from May, 1744, and which I lately purchased from the representations of said Daniel Gervais; to hold unto the said Minister and Churchwardens of the said parish of Saint Luke, and their successors for and during all the residue and remainder unexpired of the said term, subject nevertheless to the ground-rent and receiver's fees payable thereon, in trust and to the use, intent, and purpose, that the said Minister and Churchwardens, and their successors, do and shall pay out of the clear yearly rents, issues, and profits of the said last-mentioned premises £20 sterling, yearly,

during the said term, unto the assistant Curate of the said parish of Saint Luke, who shall preach a sermon and read prayers in the said parish church every Wednesday evening at six o'clock; and upon the further trust that the said Minister and Churchwardens, and their successors, do and shall pay all the remainder of the clear yearly rents, issues, and profits, of the said premises unto the poor of the said parish in such manner as they shall think proper, and to and for no other use, trust, intent, or purpose, whatever.

The foregoing bequest received at No. French-street by the Minister half-yearly; distributed as follows:—

	£	s.	d.
To the Curate for lectures on Wednesdays,	10	5	2
To Churchwardens for poor on Allm. Eve,	6	0	11
To Mr. Stringham, LeToussain's back ground rent,	5	5	5
	21	10	9

EXTRACT from the WILL of THOMAS NEEDHAM, Esq., deceased.

My will is and I devise and direct, that my executors do with all convenient speed after my decease, lay out the sum of five hundred pounds sterling, in the purchase of freehold lands, or ground rents, or hereditaments in fee-simple, and convey, or settle the same rents upon the Minister and Churchwardens of the parish of Saint Luke, in the County of Dublin (for the time being), and their successors for ever, upon the trusts, and for the purposes hereinafter mentioned, that is to say, upon trust, that the yearly rents, and profits of the premises so to be purchased, be laid out and disposed of by the said Minister and Churchwardens yearly, and every year in the manner following, that is to say, one-third part of the said yearly rents, and profits of the premises so to be purchased be laid out and disposed of by the said Minister and Churchwardens to the sick poor of said parish. And of the remaining two thirds, one third to be laid out and disposed of by the said Minister and Churchwardens at Christmas, and the other third

at the Feast of Easter in every year, in bread, meat, and coals, for such poor of said parish as they shall think and believe to be proper objects of charity. And until such purchase shall be made, as will be, and I order and direct that my executors do put out the said sum of £500 at interest, on Government or other securities, but without charge to my executors or any of them, and hand over the interest thereof (as the same shall from time to time be received) to the Ministers and Churchwardens of the said parish for the time being to be by them laid out and disposed of in the manner hereinafter mentioned.

The foregoing bequest received at Mr. Needham's Bank in January, distributed as follows—interest £16 19s. 8d. :—

	£	s.	d.
To the Churchwardens for poor on Allm. Eve,	11	0	4
To Minister for sick poor,	5	13	2
	16	13	6
	3	0	2

EXTRACT of the Will of HENRY BARTON, Esq., deceased.

Henry Barton, of the City of Dublin, Apothecary, by his will, dated the third of November, and two codicils each dated 4th November, 1768, bequeathed several pecuniary legacies and bequeathed as follows: I leave and bequeath all the rest, residue and remainder of my personal estate (not heretofore disposed of) to the several and respective Ministers and Churchwardens of the several and respective parishes of the city and suburbs of Dublin, and their successors, to be distributed amongst them in equal proportions, share and share alike, upon trust that the said Minister and Churchwardens of the said several and respective

parishes, and their successors respectively, do and shall put out the money which shall come to their hands by virtue of this my will, at interest, and by and with such interest from time to time, put out two poor girls belonging to each of the said parishes—apprentice yearly, and every year from every and each of the said parishes, and thereof appointed Robert Shuffell, and Stanley Denis, executors.

The interest arising from the above bequest is £8 4s. 7d., yearly paid in Bank of Ireland and applied as directed in said will.

DEBENTURE FUND for RELIEF of SICK and INDIGENT POOR of SAINT LUKE'S PARISH.

Two five per cent. government debentures purchased by the Rev. Doctor Ryan, with the approbation of the Churchwardens, out of £100 of accumulated interest due on the £500 bequeathed by the Rev. Richard Daniel to the poor of Saint Luke's; and some remnants of surplusage rent, and deposited by him, the said Doctor Ryan, in the Transfer office of the Bank of Ireland, the 14th of January, 1802, in the names of the Minister and Churchwardens.

The Rev. Dr. Ryan, with the approbation of the Churchwardens and Treasurer, purchased a third debenture with £100 of the money he received from Messrs. Ridley and Lacy, the executors of the late Mr. Brown, Treasurer to the Sick Poor, and deposited this debenture in the above mentioned Transfer office July 16th, 1802, in the name of the Minister and Churchwardens.

The Rev. Dr. Ryan also purchased two five per cent. government debentures with the profits of his History of the effects of Religion on Mankind, and deposited these two debentures in the same Transfer office, November 1st, 1802, (in the name of the Minister and Churchwardens), and granted the £10 which these two debentures produce now or any interest which

the £500 may produce hereafter to the Sick Poor—and the Sick poor only.

Mrs. Grace Mead having bequeathed £100 to the poor of St. Luke's Parish—George Vickers, esq., her executor discharged the same by a five per cent. government debenture, and its interest. This debenture was deposited (in the names of the Minister and Churchwardens), in the Transfer office of the Bank of Ireland, on the 2nd day of January, 1806. A seventh debenture was purchased on the 29th of March, 1803, for £95 1s. 1d., £50 of this money was two years interest of Daniel's legacy, due the 13th of January, 1806, and £50 of it, a year's interest, due the 25th of March, 1807, on six five per cent. debentures; the remaining £6 1s. 1d., was paid out of Bank stock. This debenture was deposited in the Transfer office on the 6th of April, 1808.

		£	s.	d.
The Minister receives the interest of the foregoing seven debentures, he hands over to the Churchwardens				
the interest of five debentures for poor men which is		16	8	1½
and retains the interest of two for Sick Poor, viz.,		5	8	0
		22	12	4½

EXTRACT of ALLAN TIDDALE'S WILL.

In the name of God, Amen, I, Allan Tiddale, of the County of the City of Dublin, Esq. Will dated 29th October, 1811. Memorandum.—I give to my sister, Sidney Tiddale, the sum of three hundred pounds in money, in trust, to pay the interest thereof annually to the following charities, viz.—

	£	s.	d.
To the fund for Sick and Indigent Keshcapers,	100	0	0
To the Protestant parish school of St. Mark's,	50	0	0
To the Protestant parish school of St. Catherine's,	50	0	0
To the Protestant parish school of St. Andrew's,	50	0	0
To the Protestant parish school of St. Luke's,	50	0	0
	300	0	0

And in the event of the death of my said sister Sidney, then to my sister Alice, if living, upon the like trust, it being my wish and intention that at the death of the survivor of my sisters that the principal should be divided and paid over to the respective charities in the foregoing proportions.

Probate granted to Sidney Tiddale, spinster, one of the executors, 16th May, 1812.

MEMORANDUM of VERSCHOTLE'S WILL.

I leave to the Protestant Poor Schools of Saint Catherine's and Saint Luke's Parish, in the County and City of Dublin, £500 each, to be held out only in the Government funds, and the interest thereof only to be

applied in the support of said Schools, and the principal never to be disposed of.

HAMILTON VERSCHOTLE, Stillorgan,
August, 1827.

EXTRACT of ROBERT WADE'S WILL.

I leave and bequeath unto my said trustees herein-before named and the survivors and survivor of them, and the executors, administrators, and assigns of such survivor, all my right, title, and interest, in and to my holding in Fordan's Valley, held by me under the executors of the late Colonel Paul, upon trust that they or the survivor of them, his executors, administrators, or assigns, shall receive, pay or hand over the yearly profit rent arising thereout from time to time as the

same should be received by them or any of them unto my half sister, Anne Yeates, wife of James Yeates, one of the coroners of the county of Dublin, for and during the term of her natural life, upon her own receipt only without the control of intermeddling of her present or any future husband she may marry, and that the same shall not in any manner be subject or liable to any of the debts or engagements of such husband, and from and after the decease of the said Anne

Yeates I leave and bequeath all my title and interest in said holding unto the Churchwardens of the parish of St. Luke, for the time being, to apply the profit rent arising thereout to the support of the Poor list of said Parish.

Executors—William Hall, Chamber-street; Solomon Walker, Francis-street; Joseph Williams, Cole-alley, North-street. Witnesses—Thomas Beatty, Terence Kelly, Laurence Pearson.

Mrs. Yeates died in 1808, having been previously married to Mr. Conway, of Bridge-street, cotton manufacturer, who paid ten guineas yearly, the rent of the house in Ferdinand-alley, to the Churchwardens of St. Luke's for the poor of the parish until the year of 1813, since that time no rent has been received. The Churchwardens has no lease of the premises.

APPENDIX B.

EXTRACT from the WILL of JOHN WILMOT, Esq.

I give, devise and bequeath all my part of the said lands of Ballygriffin, to the Churchwardens of the parish of Saint Luke, in the city or county of Dublin, and their successors, for the use and benefit of the poor of said parish of St. Luke, anything heretofore contained to the contrary thereof or otherwise notwithstanding. Dated 4th November, 1784.

Witnesses—James Jones, Thomas Fuller, and John Dowling.

EXTRACT from a SECOND CODICIL of JOHN WILMOT'S WILL.

I give, devise, and bequeath unto the Minister and Churchwardens of the parish of Saint Luke, Dublin, for the time being, the sum of £500 sterling whenever or as soon as a legacy left me by my nephew, Robert

Ringmiden, Esq., is paid into my executors in trust for the weekly support of the poor of the said parish out of the interest or produce thereof, the said sum of £500 to be placed out at interest by the Minister and Churchwardens for the time being, without risque or hazard to them, and applied by them in manner aforesaid.—March 27th, 1787.

Witnesses—Edward Devitt, Hugh Spencer, Henry Smith. Executors—Lucas Wilmot, Widow; John Wilmot, Esq.

Mr. John Wilmot's bequest was, with several other smaller bequests, converted into Bank Stock, the interest arising therefrom applied to pious uses and is paid in Laroche's Bank.

EXTRACT from the WILL of MRS. MARY MERCER.

I do—I will and devise that my said Executor shall lay out the further sum of £2,000 sterling, in the County of Dublin, or of ground rents in the City of Dublin, or the suburbs of the said city to the intent and purpose that the said trustees and their successors for ever shall and will from time to time for ever apply the rents, issues and profits of the said lands or ground rents for and towards the cure and relief of such poor sick Protestant persons as from time to time shall be found and be resident in the following parishes of the City of Dublin, that is to say, the parishes of St. Peter's, St. Bridget's, St. Luke's, and St. Nicholas without the Wall. And my will is, that my said trustees and their successors aforesaid shall from time to time for ever divide and pay over the said sum in equal shares to the respective Ministers of the said parishes, who may in their discretion, and according to

the exigencies of the said poor sick persons as shall from time to time be found to be proper objects in the said parishes for this my intended charity.

The interest of the £200 is £23 1s. 5½d., which is paid yearly to the Minister by the Rectory of the parish of St. Bridget.

COPY of RECEIPT for MERCER'S LEGACY.

Received from the Very Rev. the Dean of Kildare, Treasurer of Madam Mercer's charity, the sum of twenty-three pounds one shilling and six pence sterling, being the amount of the annual gratuity to the sick poor of Saint Luke's parish, payable under the will of the said late Mrs. Mary Mercer.

Jan. 184

MR. KNIGHT'S LEGACY of 200 Shillings yearly.

The above legacy, called King William's Shillings, is paid by Mr. Saxe of Kilkenny, which is received by the Archdeacon of Dublin, and is lodged in the hands of the Sexton of St. Peter's parish, Mr. Dunn, for the convenience of the different parish Ministers receiving the same, and is paid at the Savings Bank, Coffin-street, and they are agreeable to Mr. Knight's Will to dis-

tribute the above legacy every fourth day of November yearly amongst fifteen poor roomkeepers. Fifteen English shillings being the share for the parish of St. Luke.

Paid by Mr. John Harris, 49, Le. Camden-street, on the 3rd of November.

SCHOOLS. FUNDS, when due and where payable.

The Rev. Richard Daniel's legacy, £500—interest £39 13s. 10½d., due on the 13th of January; paid by Arthur Barlow, Esq., No. 4 North Great George's-street. Paid the 13th January.

Thomas Plowden, Esq., £1,000 canal debentures—interest £40, paid half-yearly in March and September. April and October paid in William-street.

Allan Tyndall's legacy, £50—interest £3 16s. 11½d., paid yearly at the Bank of Ireland, due in April.

Government stock, £250—interest three and a half per cent. in Bank of Ireland; paid half-yearly in January and July.

Note.—There is one debenture of the above for the purpose of apprenticing girls.

APPENDIX D.

Barclay's legacy, £200, paid by Board of Bequests, at the office of Commissioners of Bequests, half-yearly—interest £7 6s. 2d. yearly.

Verschoyle's legacy £500, paid by the Board of Bequests at the office of Commissioners of Bequests, half-yearly—interest £18 5s. 10d. yearly.

A house in Skinner's-alley, Widows' home and free house, formerly held by Mr. D. Young, of George's-quay, now vacant.

Miss Alice Tisdell's legacy of £30, three and a half per cent. Old Government Stock, transferred to the Minister of St. Luke's, July 14th, 1836.

TOTAL AMOUNT OF SCHOOL FUND PAYABLE TO TREASURER.

	£	s.	d.	£	s.	d.
Burke's legacy interest,	27	13	10			
Pineau's do.	40	0	0			
Tisdell do.	1	16	11			
Bachelor do.	7	6	2	half-yearly, 8	13	1
Verschoyle's do.	13	5	10	do.	3	12
Powell's do.	8	4	7			
Barclay's do.	5	4	7 1/2			
Government stock,	17	15	4 1/2			
	125	7	6			

FUNDS FOR RELIEF OF ALMS LIST, SICK POOR, AND PIOUS USES.

Mrs. Mary Mercer's legacy, £500—interest £31 1s. 5 1/2d. yearly, paid by rector of St. Bridget's Parish in November.

Dr. Ryan's debentures, £700—interest £22 12s. 6 1/2d., in Transfer office, National Bank, due in April and October.

Thomas Needham's legacy, £500—interest £16 9s. 6d. Paid in Needham's Bank, January 5th.

Vatou's legacy, £30 Irish, yearly. The rent of a house in French-street, paid by the compiler of said house, and distributed as follows:—To the Curate for an evening lecture, £18 9s. 2d.; to the poor of the parish, £6 0s. 11d.; ground rent paid to Mr. Newcomen Lafouche's Bank, £3 9s. 8d. The rent is paid in June and December.

Powell's legacy, £200—interest £16 11s. 3d. yearly, paid by Mrs. Martin, in New-street, in July; distributed as follows:—To apprenticing two boys yearly, £8 4s. 7d.; to poor on church list, £7 7s. 8d.

Bank stock, £1,140—interest £105 4s. 7 1/2d., paid at Lafouche's Bank, and applied to pious uses.

Knight's legacy, fifteen British shillings.

TOTAL AMOUNT OF SICK POOR FUND.

	£	s.	d.	£	s.	d.
Mercer's legacy interest,	23	8	5 1/2			
Ryan's do.	0	0	0			
Needham's do.	6	9	3 1/2	8	13	3
	35	0	6 1/2			

TOTAL AMOUNT OF FUND FOR PIOUS USES.

	£	s.	d.	£	s.	d.
Bank stock interest	105	4	7 1/2			
Ryan's debentures interest,	10	12	1 1/2			
	121	7	8			
Minister,	40			65	0	0
Clerk,	15			58	7	8
	65			40	0	0
				16	7	8

To forty poor persons on alms list supplied on every Wednesday with 5 1/2d. and a loaf, amount one year,

Alms list fund one year,

440 15 0

The deficiency of £40 15s. 9d., is made up from the fund for pious uses after deducting £50 for the curate and £15 for the clerk.

TOTAL AMOUNT OF ALMS LIST FUND.

	£	s.	d.
Needham's legacy, two-thirds of interest	11	0	4
Powell's do. part of interest,	7	7	8
Vatou's do. part of rent,	6	0	11
Knight's do.	0	15	0
Collection in church averaged at,	25	0	0
	50	0	0

ST. PATRICK'S CATHEDRAL SCHOOL.

No. XXVII. (a.)

Statement of Dean West, see Evidence, p. 332.

From the foundation of St. Patrick's Cathedral, the Choristers' School was maintained by the Dean and Chapter as an indispensable adjunct, and was always under the official direction of the Prebendary.

In 1564, the Cathedral establishment was suppressed by Henry 8th to make accommodation for the Law Courts, and the Vicar's Hall taken away for a public Grammar School.

On the restoration of the Cathedral, in 1584, under the Charter of Philip and Mary, the Choristers' School was renewed and placed as before under the direction of the Prebendary, and in consideration of the favour shown by this restoration, the Dean and Chapter were required under this Charter of 1584, to provide for the Grammar School by keeping a master to be appointed by the Archbishop.

This Grammar School was in no respect identical with the Choristers' School, though the same Master was often employed for both schools for the convenience of the Choristers' room, but the distinctness of the two schools was always marked by separate payments.

By the Irish Church Act of 1865, the Charter of

Philip and Mary was repealed, and consequently the Grammar School having no legal existence was extinct.

In anticipation of the approaching disestablishment, the present Dean had set off a portion of the Deanery ground adjoining his residence, and having bought out the tenants, built the present school-house in 1870, for the Choristers and boys in training, with money subscribed by himself and others.

On the 1st of January, 1871, the Disestablishment Act came into operation, and the school-house along with Cathedral and its revenues passed into the hands of the State, but soon after (under clause 59) the Cathedral and School-house were given back to the Church of Ireland, divested of all endowment. And so the Choristers' School continued to be carried on by the Cathedral authorities with voluntary funds; no notice being taken of the fact that the Grammar School of the Charter had been extinguished by the Irish Church Act.

J. West, Dean.

PHIBSBORO' SUNDAY AND DAILY SCHOOLS, BLACQUIERE BRIDGE, DUBLIN.

No XXVIII. (a.)

Statement handed in by J. W. JENNINGS, see Evidence, p. 349.

The Managing Committee of these schools are desirous of claiming for them exemption from the jurisdiction of "The Educational Endowment (Ireland) Commission," and advance the following statement in support of such claim of exemption. Up to the year 1851, the schools were wholly supported by voluntary contributions; in that year a Mrs. Herbert died, she was a member of the Established Church, and had been for many a year a member of the Managing Committee of these schools, supporting them by a subscription of about six pounds a year. By her will, made in 1850, she devised to a Mr. St. Ledger Weldon a life interest in all her property, charging it, however, with the continuance of her annual subscription to the schools of six pounds and four annuities to her servants; and at the death of Mr. Weldon (which took place in 1851, six months after testatrix), she then devised her entire property to two trustees specially named in her will, Rev. Gilbert Black, formerly curate of St. George's, Dublin, and the Rev. F. Faris, both clergymen of the Established Church, to hold the same (subject to the payment of the annuities to her servants)—first for the use and benefit of the Phibsboro' Sunday and daily schools, and secondly for the benefit of the chaplain of the Dublin Female Penitentiary, giving very particular directions as to her wishes and intentions. In the year 1852 the trustees of Mrs. Herbert's will presented a petition to the Lord Chancellor praying an account to be taken and directions given for the future carrying out of the trusts. By an order made in 1852 it was directed to Master Litton to investigate and draft a scheme, and who made his report in 1857, and by an order of the Lord Chancellor of 1858 said report embodying scheme was approved and adopted, and from that date the schools have by such scheme been governed. The managing committee would desire to draw attention to the form of Mrs. Herbert's bequest. As directed in her will, she continues her usual subscription of six pounds without any condition or suggestion as to the conducting of the schools, but when she proceeds to endow it she directs quite differently, and says "I desire that the Phibsboro' Sunday and daily schools should be opened with a Protestant master and mistress," and further directs as one of the conditions of her bequest, the appointment of the chap-

lain of the Dublin Female Penitentiary to give religious instruction in the schools. As the testatrix was intimately acquainted with the plan and principle of the original organization the appointment of a clergyman of the Irish Church to be the one and the only one to give religious instruction in the future, should be taken as evidence as her wishes and intentions as to the future character of the schools. The managing committee submit that this view of her intentions was present to the mind of Master Litton when forming the scheme by which the religious instructions is so completely and without control confided to a clergyman of the Irish Church.

Taking the will and the scheme as determining the intentions of the test it is claimed that the testatrix intended to constitute the schools Church of Ireland, where the religious instruction would entirely be the teaching of that denomination, and that from the acceptance of the endowment and the adoption of the scheme, the management and government of the school became entirely changed and placed under the control of, and for the benefit of, the religious denomination to which Mrs. Herbert belonged.

The express terms of the will apply and provide exclusively for the benefit of persons of one religious denomination. A child of any other denomination would not as such have a right of admission as to a National school; but must, so far as the managing committee in their discretion ruled, conform to the religious instruction provided, and thus for the time being forego its own particular form, and submit to that of the school. In the early record of the schools instances are noted of the expulsion of children who refused obedience to the course laid down.

The fact that in later years the managing committee did not act with selfish exclusiveness, and shut the door against other denominations, or force their instruction on unwilling pupils, should not deprive them of the power which the will of the testatrix and the scheme of the Lord Chancellor entrust them.

The managing committee would therefore urge that the evidence adduced goes to prove that the endowment is wholly for the benefit of and under the control of members of the Church of Ireland and therefore exempt.

APPENDIX C.

DRAFT SCHEMES FIRST PUBLISHED.

SWORDS SCHOOL.

Notice.—This Draft Scheme, first published on the Fifteenth day of June, 1886, has been prepared in pursuance of the Educational Endowments (Ireland) Act, 1885. During two months after the first publication the Commissioners will receive any objections to the Scheme which may be made to them in writing by any public body or persons interested respecting it, and any amendments proposed thereon; and will afterwards proceed to consider such objections and amendments as by the said Act directed. All such objections and amendments should be forwarded to "The Secretary, Educational Endowments (Ireland) Commission, 23, Nassau-street, Dublin."

No. 1.

County of DUBLIN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

DRAFT SCHEME, under the Educational Endowments (Ireland) Act, 1885, for the future Government and Management of the Educational Endowment in the County of Dublin hitherto held and administered by "THE GOVERNORS OF THE SCHOOL AT SWORDS," under Royal Charter, dated 18th February, 1804.

Whereas by Royal Charter dated 18th February, 1804, the Lord High Chancellor of Ireland, the Lord Archbishop of Dublin, the Dean of Christ's Church, Dublin, the Provost of Trinity College, Dublin, the Dean of St. Patrick's, Dublin, and the Vicar of Swords, in the County of Dublin, for the time being, and their respective successors, were constituted into one Body Corporate by the name of "The Governors of the School at Swords," and certain sums of money were vested in the said Governors in trust to be funded in Government Securities, and certain other sums were vested in them to be applied in providing school-houses and other necessary accommodation, for the purpose of establishing and maintaining one or more schools within the Borough of Swords, and for the other purposes in the said Charter mentioned:

And whereas the said Governors afterwards acquired and are now possessed of certain land and buildings, and certain Government Securities, money, and other property are now vested in them, and the same now constitute an Educational Endowment within the meaning of "The Educational Endowments (Ireland) Act, 1885," to the whole of which Endowment the said Act applies:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that, in order to extend the usefulness of the said endowment, the government and management thereof should be altered, in a manner hereinafter provided:

Therefore, from and after the date of this scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said Endowment shall be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust or direction relating to the subject-matter of this Scheme to the contrary notwithstanding.

Preliminary.—Interpretation of Terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Borough of Swords" shall mean and include an area extending two statute miles in every direction from the Round Tower of Swords, in the County of Dublin; such distance to be measured as shown upon

the maps of the Ordnance Survey of Ireland, and any house of which any part shall be within the said area shall be deemed to be wholly within the said Borough.

"The Old Borough School" shall mean and include the Male, Female, and Infant Schools heretofore existing at Swords, and known as the Borough Schools, with the site, buildings, outbuildings and appurtenances thereof, and the furniture, appliances and other chattels thereto belonging, and all the estate and interest of "The Governors of the School at Swords" therein, as heretofore held, possessed, or enjoyed by the said Governors in trust for the same schools, or used for the purposes thereof.

"The New Borough School" shall mean and include the Schools heretofore existing at Swords, known as the "Swords National Schools," with the site, buildings, outbuildings, and appurtenances thereof, and the furniture, appliances and other chattels thereto belonging, and all the estate and interest therein now held, possessed, or enjoyed by the patrons or managers of the said schools, in trust for the same schools, or used for the purposes thereof.

"The Act" shall mean the "Educational Endowments (Ireland) Act, 1885."

"Elementary Education" shall mean such education as may be given in the National Schools which are aided by grants from the Commissioners of National Education in Ireland.

Incorporation of Governing Body of Old Borough School.

2. From and after the date of this scheme a Governing Body shall be formed for the Old Borough School in manner following:—It shall consist of six persons, of whom four shall be *ex-officio* Governors—namely, the Protestant Archbishop of Dublin for the time being, the Protestant Vicar or Incumbent of the parish of Swords for the time being, and the two Protestant Churchwardens of the same parish for the time being, and the remaining two shall, in the first instance, be the Rev. Frederick Tymons of Beak-in-hill, Cloughra, and Charles Cobble, of New-bridge House, Donabate, &c.; and shall afterwards be elected as hereinafter provided. The last-named two Governors shall hold office until the meeting of the Easter Vestry of the said parish which shall be held next after the date of this scheme, and at the same and every succeeding Easter Vestry, the duly qualified Protestant Vestrymen of the said parish may

annually elect two of their own number to be Governors of the Old Borough School, and the Governors so elected shall hold office until the next election. Whenever any vacancy shall occur among the Governors (not being ex-officio Governors) by death, resignation, or otherwise, the remaining Governors shall co-opt a duly qualified Governor to fill such vacancy, and every Governor so co-opted shall hold office no longer than the Governor in whose place he shall have been co-opted might have held the same.

The said Governors shall constitute a Body Corporate by the name of "The Governors of the Old Borough School of Swords," with perpetual succession and a common seal, and power to acquire and hold property for the purposes of this scheme, and from and after the date of this scheme the Old Borough School shall, without any new conveyance or instrument, be transferred to and vested in "The Governors of the Old Borough School of Swords," and be thenceforth held by them and their successors for ever, upon and for the trusts and purposes of this scheme, and subject to the conditions and provisions herein contained. The Vicar or Incumbent of Swords for the time being, if and so long as he shall so desire, shall be the Manager of the Old Borough School, and shall and may retain and exercise all the rights, powers, and authority which, under and in accordance with the Rules and Regulations of the Commissioners of National Education, may devolve upon him as such Manager.

Incorporation of Governing Body of New Borough School.

3. From and after the date of this scheme a Governing Body shall be formed for the New Borough School in manner following:—It shall consist of six persons, of whom two shall be ex-officio Governors—namely, the Roman Catholic Archbishop of Dublin for the time being, and the Roman Catholic Parish Priest of Swords, or Administrator acting as such, for the time being, and the remaining four shall, in the first instance, be Lieutenant-Colonel Forster, of Swords House, R. Russell Cruise, of Drynane, Swords, J.R., John Lomden, of Swords, Guardian of the Poor, and William Bowden of Swords. Whenever any vacancy shall occur among the Governors (not being ex-officio Governors), by death, resignation, or otherwise, the remaining Governors shall co-opt a Governor to fill such vacancy from amongst the Roman Catholic residents in the Borough of Swords, or Jurors of the Peace for the county of Dublin, or Guardians of the Poor for the Union wherein the Borough may be situate.

The said Governors shall constitute a Body Corporate by the name of "The Governors of the New Borough School of Swords," with perpetual succession and a common seal, and power to acquire and hold property for the purposes of this scheme, and from and after the date of this scheme the New Borough School shall, without any new conveyance or instrument, be transferred to and vested in "The Governors of the New Borough School of Swords," and be thenceforth held by them and their successors for ever, upon and for the trusts and purposes of this scheme, and subject to the conditions and provisions herein contained. The Parish Priest of Swords, or Administrator acting as such, for the time being, if and so long as he shall so desire, shall be the Manager of the New Borough School, and shall and may retain and exercise all the rights, powers, and authority, which, under and in accordance with the Rules and Regulations of the Commissioners of National Education, may devolve upon him as such Manager.

General Provisions as to Governing Bodies.— *Functions in the office of Governor.*

4. Every Governor, not being an ex-officio Governor, of either school, who shall resign by writing under his hand, or shall become bankrupt, or shall become in-

capable of acting, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy with the cause thereof shall be recorded in the Minutes of the Governors, and shall be filled as hereinafter provided as soon as conveniently may be after it shall have occurred.

Chairman, Quorum, and Secretary.

5. The Archbishop, or in his absence the Vicar or Incumbent, or the Parish Priest or Administrator, as the case may be, shall be Chairman, and shall preside at every Meeting of the Governors; and in the absence of the above-named Governors, the majority of the Governors present at each Meeting shall elect a Chairman who shall preside thereat. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman shall have a second or casting vote. The Governors of each school shall appoint one of their number to act as Secretary.

Meetings of Governors.

6. Within one calendar month after the date of this scheme, and twice at the least in every year thereafter, the Governors shall meet at their respective schools, and they may also meet at such other times and places as they may from time to time appoint. Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before each meeting. The Archbishop, or the Vicar or Incumbent, or Parish Priest or Administrator, as the case may be, or any three or more other Governors may, at any time, summon a special meeting of the Governors, giving notice to each Governor two clear days at the least, or such other time as the Governors may direct, before each meeting, specifying in each notice the object thereof. Every meeting may adjourn for the completion of its business to such time or place as the Governors present may appoint.

Minutes, Books, and Documents.

7. Every Governor, not being an ex-officio Governor, shall at or before the first meeting which he attends, sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor of the Old Borough School at Swords, or of the New Borough School at Swords, as the case may be, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committees.

8. The Governors of each School may, from time to time, appoint any two or more of their number to be a Committee to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this scheme. The Governors may fix the quorum, define the duties, and regulate the proceedings of every such Committee as they may think fit.

By-laws.

9. The Governors of each School may from time to time make such by-laws and regulations as they shall consider convenient and needful for the good government and management of the School, and for effectuating the purposes of this scheme, provided that no such by-law or regulation shall be inconsistent with

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the provisions of this scheme, or with the Rules and Regulations of the Commissioners of National Education for the time being applicable to the Schools, and that the same may be repealed, altered, and amended, by the Governors, from time to time, as they shall deem expedient.

Accounts.

10. The Governors of each school shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as may be from time to time prescribed by the Commissioners of Charitable Donations and Bequests, or by the Local Government Board, and the accounts for each year ending the 31st day of December, or an abstract thereof in such form as the said Commissioners or Board shall prescribe, shall be submitted for audit on or before the 1st day of March following to an Auditor of the Local Government Board, or to such other competent authority as the said Commissioners shall direct. The Governors of each school shall keep an account with such bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash) shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, *thereto authorised*.

Additional Endowments.

11. The Governors of each school may receive and hold additional property, real and personal, donations, bequests, subscriptions, and other endowments, and may apply the same for the purposes of this scheme; they may also receive and hold such property, subscriptions, donations, bequests, and endowments, for any objects connected with their respective schools, or with the purposes of this scheme, which shall not be inconsistent with, or calculated to impede, the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts of the Governors receiving or applying the same.

Trusts of School Premises.

12. The Governors of the Old Borough School of Swords, and the Governors of the New Borough School of Swords, respectively, shall stand possessed of the said schools, upon trust, in the first instance, to use the same, or such parts thereof as shall be required, as schools for the elementary education of all such children, male and female, as shall resort thereto for such education; any parts of the same premises not required for such use shall, in the next place, be used, so far as shall be required, for the residence of such teachers employed in the said schools as the Governors shall deem it expedient to provide with residence therein, and for such other school purposes as shall from time to time be approved by the Governors. If, whenever, and so far as the said premises respectively shall not be required for such purposes, the Governors may permit the same to be used for such other charitable or local purposes as they may approve, upon such terms as they may think fit, so that such use shall not interfere with the efficient working of the school, and shall not be contrary to the Rules and Regulations of the Commissioners of National Education for the time being, and so that all or any money which may at any time be charged or received for such use shall be applied for the purposes of the school, and accounted for by the Governors accordingly.

Testing and Trusts of Funded Endowments.

13. From and after the date of this Scheme the sum of £24,000, Government New Three per Cent. Stock, heretofore standing in the name of "The Governors of the School at Swords," with the dividends then accruing thereon, shall, without any new transfer or instrument, vest in the Commissioners of Charitable Donations and Bequests for Ireland, and the Governor and Company of the Bank of Ireland shall, without further order, transfer the same in their books to the said Commissioners, who shall thenceforth hold the

same, and receive and apply the accruing and all future dividends thereon, upon and for the trusts and purposes, and subject to the conditions and provisions herein contained. The said Commissioners shall, so soon as the dividends accruing at the date of this Scheme shall be received by them, pay to the existing "Governors of the School at Swords," an apportioned part of such accruing dividends calculated to the date of this Scheme, and shall pay out of the residue of such dividends and the subsequent income of the said funded endowment, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors, or out of the endowment, for the costs and expenses of this Scheme, or of audit or inspection, or otherwise.

Building Fund for New School.

14. The said Commissioners shall hold the sum of £2,000 of the said Government stock, upon trust, by sale or transfer of so much thereof as may be required for that purpose, to defray the cost of erecting any or additional school buildings for the New Borough School, or enlarging or improving the existing buildings, or providing suitable residences for the teachers employed therein, or providing additional school furniture or appliances, or additional ground for the use of the said school. Such expenditures shall be made with the previous sanction of the Commissioners of National Education upon premises vested in the Governors of the New School at Swords, and shall be accounted for by the Governors. The said sum of £2,000 stock, until so expended, and so much thereof as shall not be so expended, shall be held by the Commissioners of Charitable Donations and Bequests, upon trust for the purposes of the New Borough School, and the dividends thereon shall be applied from time to time in manner hereinafter provided with respect to the proportion of the residue of the endowment applicable to the purposes of the said school, and in addition to such proportion.

Proportionate Division of Income of Funded Endowment.

15. The Commissioners of National Education shall, as soon as possible after the end of each calendar year, certify to the Commissioners of Charitable Donations and Bequests the average number of children in daily attendance for elementary education at each of the schools during the year preceding; but, in fixing such average, the Commissioners of National Education may make such allowance as they shall think just for any reduction of actual attendance due to temporary and exceptional causes for which allowance might be made under the Rules and Regulations of the Commissioners regarding teachers' salaries. The average attendance so certified for each calendar year expiring after the date of this Scheme shall form the basis for ascertaining the proportion in which the residue of the income of the funded endowment, after providing for any necessary outgoings, and for all other payments hereby directed, shall during the succeeding year be divisible between the Governors of the respective schools, and the same shall be divided by the said Commissioners accordingly, and lodged by them, as the dividends shall be received, to the credit of the bank accounts of the respective Governors in proportion to such certified average attendance. The first payments shall include such proportion of the income accruing during the year current at the date of this Scheme as may be applicable to the purposes of each school under this clause.

Trusts of Income payable to Governors.

16. The moneys received by the Governors of each school for the purposes thereof shall be expended and applied by them for the following purposes:—

(a) To maintain the school buildings, furniture, appliances, and premises in good order and condition, to make such additions thereto or improvements therein,

as may be required from time to time, and to defray the necessary working expenses of the school.

(b) To maintain an efficient Teaching Staff; for this purpose the Governors may supplement the salaries and emoluments of such teachers and monitors as may be entitled to salary or emoluments from the Commissioners of National Education, and may also employ and pay such additional teachers as they may deem it expedient to employ for the instruction of the pupils attending the school, or evening classes connected therewith, including teachers qualified to give instruction in drawing, handicraft, husbandry, and such other special subjects of intermediate, technical, commercial, or industrial education as they shall deem suitable or useful for any sufficient number of the pupils, provided that the provision of sufficient elementary education shall not be prejudiced thereby.

(c) To provide prizes for the most deserving pupils; such prizes may be awarded in money or in remission of school fees, or in such other manner as the Governors may deem best calculated to stimulate the industry of the pupils, to improve the attendance at the school, or to reward the diligence or promote the progress of the pupils to whom the same may be awarded. Such prizes may be so given as to enable or encourage deserving and capable pupils to continue their education at the school longer than they could otherwise do.

(d) To advance in life deserving pupils, selected according to merit, whose circumstances are such that they need assistance on leaving school. Such assistance shall be given with due regard to the circumstances and needs of each pupil receiving the same, and may be given as or towards apprenticeship fees, the cost of obtaining special instruction or more advanced education elsewhere, or in such other mode, and subject to such conditions, as the Governors may in each case consider most advantageous. Provided always that no pupil shall be entitled to receive any such assistance or advancement who shall not at the time of leaving the school be between the ages of fifteen and eighteen years, and shall not have been permanently resident within the Borough of Swords, and in regular attendance as a pupil at the school, for three years at the least next before the time of leaving school.

Distribution of Fund amongst Objects.

17. The accounts to be kept by the Governors of each school shall include a separate account of the amount expended by them in each year upon each of the above-mentioned objects, and the Commissioners of National Education shall, when certifying the average attendance for each year, report to the Commissioners of Charitable Donations and Bequests whether in their judgment, taking into account any income available for the same purposes from other sources, the endowment has been in all respects efficiently expended. If the expenditure upon any one or more of the objects aforesaid appears to the Commissioners of National Education to be excessive or inefficient, they shall in each report state the grounds of objection, and the changes which they recommend, and upon each report the Commissioners of Charitable Donations and Bequests may give such directions to the Governors regarding such excessive or inefficient expenditure as they may deem fit, and the Governors shall be bound to carry out all directions so given.

Competitive Examinations for Exhibitions.

18. The Commissioners of Charitable Donations and Bequests shall retain each year, out of the income of the endowment, a sum not exceeding £100, to provide Exhibitions to be open for competition among the pupils, male and female, of both schools, under the following conditions:—

(a) Each Candidate shall have been resident within the Borough of Swords for three years, at the least, and before the day appointed for the examination,

and shall, during each of such three years, have made at least 100 attendances as a pupil at one or other of the schools, and shall not, on each day, exceed the age of sixteen years.

(b) The competition shall be by examination, to be conducted under the directions of the Commissioners of National Education, at a time, in a course, and under regulations to be appointed by the said Commissioners not less than six months previously.

(c) The subjects of examination shall be those of elementary education only, and not below the standard of the Fifth Class, as defined by the Rules and Regulations of the Commissioners of National Education for the time being.

(d) The Examination shall be conducted by an Inspector or Inspectors appointed by the Commissioners of National Education, whose report as to the relative merits of the Candidates shall be final.

(e) The Commissioners of National Education may make all proper and necessary Rules and Regulations for the conduct of the Examination, and for ascertaining that all Candidates presenting themselves are duly qualified as hereinafter provided.

(f) No Candidate shall be permitted to compete more than twice, or to obtain more than one Exhibition.

(g) The male and female candidates may be examined separately and in different courses; the pupils of both schools shall be examined together, in the same course, and under the same conditions and regulations.

(h) Not more than four Exhibitions—two for boys and two for girls—shall be awarded in any year; and no Exhibition shall exceed £25. No Exhibition shall be given unless the Examiner or Examiners shall report that the Candidate has shown sufficient merit, and in case of insufficient merit the whole or any part of any Exhibition may be withheld. The amount awarded in each case shall be paid by the Commissioners of Charitable Donations and Bequests to the Governors of the school to which the successful pupil belongs, and shall be by them applied for or towards his or her advancement in life, in such manner as they, having due regard to the wishes and circumstances of the pupil, shall deem most advantageous.

All or any part of the income of the endowment authorized to be set apart for Exhibitions which in any year shall not be expended thereon shall be added to the residue, and disposed of by the Commissioners of Charitable Donations and Bequests in accordance with the other provisions of this Scheme.

Management of Schools.—Schools to remain in Connection with National Board.

19. Unless and until the Governors shall otherwise determine, and subject to the provisions hereinafter contained as to the Managers, each of the said schools shall continue its connection with, and shall remain subject to the Rules and Regulations and under the inspection of the Commissioners of National Education, and, unless and until the Lord Lieutenant shall appoint an Inspector thereof, in pursuance of the Educational Endowments (Ireland) Act, 1883, section 17, each Inspector from time to time appointed by the said Commissioners to inspect the said schools in accordance with such Rules and Regulations, shall be deemed to be the Inspector appointed by the Lord Lieutenant under the said Act, and the reports of each such Inspector shall be presented by the said Commissioners to the Lord Lieutenant, but such Inspector shall not be entitled so much as any recommendation in addition to the remuneration which he may be entitled to receive from the said Commissioners.

Aid from National Board.

20. From and after the date of this Scheme each of the said schools may receive from the Commissioners of National Education such aid, by way of

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Teachers' salaries, allowances, results fees, and otherwise, as may be awarded, in accordance with the Rules and Regulations of the said Commissioners for the time being, to National Schools of the same class, and all money and other aid which the Governors may receive from the said Commissioners shall be applied for the benefit of the said schools, in accordance with the said Rules and Regulations, and accounted for by the Governors accordingly.

Appointment of Officers.

21. Subject to the provisions hereinbefore contained as to the Managers, the Governors of each school may appoint from time to time such schoolmasters and mistresses, examiners, teachers, and other officers as they may deem necessary, and at such salaries as they may deem sufficient, and may retain or dismiss, or alter the salary of the present or any future schoolmasters and mistresses, examiners, teachers, and other officers, as the Governors may from time to time deem advisable, subject, however, to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Educational Endowments (Ireland) Act, 1885; provided that no Governor shall, at any time, be entitled or permitted to receive any salary or emolument out of the endowment.

Appointment of Inspector by Lord Lieutenant.

22. If and whenever the Lord Lieutenant shall appoint an Inspector of the schools, or of either school, in pursuance of the Educational Endowments (Ireland) Act, 1885, section 17, such Inspector shall inspect the same once at the least in each year, and so much oftener as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors of each school in such proportions and manner as the Lord Lieutenant may direct. If, at any time, either of the schools shall cease to be in connection with, or to be subject to the Rules and Regulations and under the inspection of the Commissioners of National Education, an Inspector shall be appointed by the Lord Lieutenant, who shall thenceforth do all acts, and possess, and exercise all the powers and authority under this Scheme which might have been done, possessed, or exercised by the said Commissioners of National Education, or by any Inspector appointed by them, if such connection had not ceased.

Religious Instruction.

23. No child attending either of the schools shall be compelled or permitted to receive or to be present at any religious instruction to which his or her parents or guardians object, and the times for and mode of giving religious instruction shall be so fixed that no child shall be thereby in effect excluded, directly or indirectly, from any of the other advantages afforded by the school.

School Fees.

24. The Governors or Manager of each school may from time to time authorize the charge of such school fees as they may think reasonable, provided that all children of poor inhabitants of the Borough of Swords shall be entitled to receive elementary education in the said schools at reduced fees or free of charge, if the Governors and Manager be satisfied that they are unable to pay the ordinary fees.

Provision for Vested Interests pursuant to the Act, sec. 11.—Deputy Superintendent.

25. The Rev. W. G. Boyce, Deputy Superintendent of the existing Borough School, shall continue to be entitled to his present salary of £80 per annum, so long as he shall continue to reside in the borough of Swords, and to hold the office of curate assistant of

the parish of Swords under the Rev. Thomas Twigg, the present Vicar of Swords; but whenever the said Rev. W. G. Boyce shall cease to reside in the said borough, or shall cease to hold his said office of curate assistant, or whenever the said Rev. Thomas Twigg shall cease to hold his office as Vicar, whichever event shall first happen, the said salary shall cease; provided that so long as the same shall be payable, the said Rev. W. G. Boyce shall be bound to discharge all such duties in and about the Old Borough School, and for the Governors thereof, as before the date of this Scheme he was bound to discharge in or about the existing Borough School or for the Governors thereof, and if and so long as he shall fail or refuse to discharge such duties, the payment of his salary shall be suspended, and the certificate of the Governors that he has so failed or refused shall be conclusive. The said salary shall accrue from day to day, and shall be paid by the Commissioners of Charitable Donations and Bequests to the said Rev. W. G. Boyce out of the income of the funded endowment by equal half-yearly payments, of which the first shall be made at the expiration of six calendar months from the date of this Scheme. The Commissioners of Charitable Donations and Bequests, with the consent of the Governors of the Old Borough School of Swords, may at any time within six calendar months from the date of this Scheme, but not afterwards, agree with the Rev. W. G. Boyce for the commutation of the said salary for the sum of £320, but in consideration of giving such consent the Governors of the Old Borough School may require the said Rev. W. G. Boyce to pay to them such part of the said sum as may be agreed upon, as compensation for the discontinuance of the duties aforesaid, and thereupon the Commissioners of Charitable Donations and Bequests shall, out of the capital of the funded endowment, pay to the said Governors and the said Rev. W. G. Boyce, upon their joint and several receipt, the sum of £320, as and for such commutation, and upon such capital sum being paid the said salary shall cease, and the said Rev. W. G. Boyce shall be released from the said duties. All or any portion of the said sum of £320 which may, under any such agreement as aforesaid, be received by the Governors as such compensation is aforesaid, shall be applied for the purposes of the Old Borough School, and accounted for by them accordingly.

Examiner.

26. So soon after the date of this Scheme as they shall have sufficient funds in their hands for the purpose, the existing "Governors of the School at Swords" shall pay to Robert William Griffin, B.A., the sum of £75 as compensation for his vested interest in the office of Examiner of the existing school, which office is hereby abolished.

Medical Officer.

27. Francis J. Dwyer, F.R.C.S., the Medical Officer of the existing school, shall continue to be entitled to his present salary of £25 per annum, so long as he shall continue to be the medical officer of the dispendary district in which the borough of Swords is situated, but whenever the said Francis J. Dwyer shall cease to be such medical officer, the said salary shall cease; provided that so long as the same shall be payable, the said Francis J. Dwyer shall be bound without further fee or reward to give his medical attendance and care, so far as shall be necessary, to the teachers and pupils of the Old Borough School and New Borough School, upon the written requisition of any Governor thereof respectively, and if and so long as he shall fail or refuse so to do, the payment of his salary shall be suspended, and the certificate of the Governors of either school that he has so failed or refused shall be conclusive. The said salary shall accrue from day to day, and shall be paid by the Commissioners of Charitable Donations and Bequests to the said Francis J. Dwyer, out of the

income of the funded endowment, by equal half-yearly payments, of which the first shall be made at the expiration of six calendar months from the date of this scheme.

Teachers.

35. The master and mistress of the existing Borough Schools who hold office as such at the date of the passing of the Act, shall, if still in office at the date of this Scheme, continue to hold office under the Governors of the Old Borough School of Swords, upon the same terms as to salary, emoluments, duties, and otherwise upon which at the date of the passing of the Act they shall have held the same under the existing Governors. Such employment may be determined by the Governors on decision by the Manager for adequate cause, or by six calendar months' notice from the Manager, and payment of the amount of one year's salary as hereinafter provided. The payment of their existing salaries, namely £80 for the master, and £50 for the mistress, shall be secured as follows:—The Manager of the Old Borough School shall from time to time obtain from the Commissioners of National Education such aid towards payment of the said salaries as the Rules and Regulations of the said Commissioners shall allow, and all sums so received shall be credited towards payment of the same. If and so long as the deficiency, if any, shall not exceed one-half of the amount payable by the Commissioners of Charitable Donations and Bequests out of the income of the funded endowment to the Governors of the Old Borough School, under clause 15 of this Scheme, such deficiency shall be paid by the Governors out of the amount so payable to them; and if and so far as one-half of such amount shall be insufficient to pay such deficiency, the same shall be made up by payment of the amount thereof to the said master and mistress by the Commissioners of Charitable Donations and Bequests out of the income of the funded endowment. Provided always that upon the expiration of each six months' notice as aforesaid, or if either or both of the said teachers should become inefficient, the Commissioners of Charitable Donations and Bequests shall thereupon pay out of the income of the funded endowment one year's salary to such teacher or teachers and his or her or their employment and salary or salaries shall thereupon cease.

Suspension and Forfeiture of Endowment.

36. If at any time the Commissioners of National Education shall certify and the Commissioners of Charitable Donations and Bequests shall, after due inquiry upon notice to the Governors, satisfy themselves that either of the schools has ceased to be in

efficient operation, no further payment shall be made to the Governors of such school unless and until the said Commissioners of National Education shall certify, or the Commissioners of Charitable Donations and Bequests shall satisfy themselves that it is again in efficient operation.

Dissolution of existing Governors.

37. Immediately after the date of this Scheme the existing "Governors of the School at Swords" shall proceed to pay and discharge out of the moneys in their hands, and the appropriated part of the accruing dividends to be paid to them as hereinbefore provided, all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or such other competent authority as the Commissioners of Charitable Donations and Bequests shall direct. Upon such audit the net cash balances remaining in the hands of the said Governors or of their treasurer or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same shall be forthwith transferred or paid to the Governors of the Old Borough School of Swords, to be by them held and applied for the purposes of the said school, and accounted for accordingly. The said existing Governors shall, at the same time, deliver to the Governors of the Old Borough School at Swords all such books, documents, and other chattels and effects belonging to or held by them as relate to the said School, and shall dispose of all other effects belonging to them as the Commissioners of Charitable Donations and Bequests shall direct, and thereupon "The Governors of the School at Swords" shall be dissolved.

Alteration of Scheme.

38. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland in any matter relating exclusively to either of the Schools upon the application of the Governors thereof, or in any matter whatsoever upon the joint application of the Governors of both Schools, but no alteration affecting either School shall be so made except upon the application of the Governors thereof, and no alteration shall be made contrary to anything contained in the Act.

Draft Scheme prepared and published by the Commissioners in pursuance of the Act, sec. 21.

WILLIAM EDWARD RALPH, Secretary.

15th June, 1886.

PROTEST AGAINST the "SWORDS SCHEME," by ANTHONY TRAILL, F.R.C.D., Assistant Commissioner.

I protest against this Scheme for the following reasons:—

My fundamental position is, that under the Charter of 1804 every child in Swords is entitled to the same advantages as to education and advancement in life, and the Charter provides that there shall be one or more schools in Swords. These equal advantages can only be secured in one of two ways as regards education—either the children should be all equally instructed in the same school, by the same competent teachers, or they should be instructed in two equally efficient schools under separate management. If it be found necessary for political, social, or religious reasons that two schools shall be established under this endowment, one under Protestant and one under Roman Catholic management (though not restricted to children of separate denominations), this should be carried out on the distinct basis, that each school shall be thoroughly and efficiently equipped, so as to give

an equally good education to all the children in attendance at either. All the witnesses examined before the Commission, both Protestant and Roman Catholic, were in favour of adopting the latter view, and the Roman Catholic witnesses were quite clear in stating that they had no wish to starve the school under Protestant management provided that their own preponderating numbers in the community received due weight.

The Protestants asked in their draft Scheme that the funds should be equally divided between the two schools. Mr. Croise, J.P., speaking for the Roman Catholic community, asked for three-fourths, adding these words—"I think if you give us £15,000 these words—"I think if you give us £15,000 the Catholic community will not be dissatisfied with it." (The total amount is above £24,500.) Above all, every witness on both sides agreed that the distribution of the fund should be so made that all "old scores" should be finally healed in Swords, and that for th-

future there should be finality, and that all cause for bad feeling, such as has unfortunately existed in the past, should be permanently removed.

The Scheme now adopted by the majority of the Commissioners entirely fails in these respects. It adopts the principle of numbers, pure and simple, not only at the outset, after the present Borough School has been boycotted for years, but for every year in the future, for the distribution in each year is made to depend absolutely on the attendance in the previous year, as estimated by the National Board Inspector. The very modest request that at least £100 a year out of £720 should be reserved to the school of the minority has been refused. The Scheme thus puts a premium on every species of boycotting and espionage for the future, and renders it quite possible for the grant to the one school to be indefinitely reduced, not only in case of a natural or artificial reduction in its numbers, but by an artificial increase in the number of the children in the other school, a result which can be easily secured, and which has, as a matter of fact, been already secured to a great extent, by bringing in infants wholesale, and by importing into the village or neighbourhood children from orphanages and children from workhouses, all of whom will be counted as heads equally with adult children of the Borough proper.

I protest further against the purely clerical management of the schools, and the exclusion of the laity from all oversight and control of the schools as educational institutions. The fund from which the endowment is derived was given to the inhabitants of Swords as compensation for the loss of their Parliamentary representation at the time of the Union. The clergymen of the different religious denominations in Swords are entitled as citizens of Swords, and as persons specially interested in education, to a potential voice in the management of the schools, and in the distribution of the endowment, and in any case the personal rights of the present managers of the schools should be preserved, but I cannot see why the exclusive management of these secular schools should for all time be vested in their successors, without the Boards of Governors having, at least, the power of patronage; nor can I see why the Archbishop of Dublin of either denomination should have any voice whatever in the control of a local endowment such as this, and more especially I cannot see why the Roman Catholic Archbishop should have the absolute ultimate control of one of the schools, through his power of substituting, under certain circumstances, an administrator for the parish priest, for in such case the Scheme provides that the administrator shall become the manager to the exclusion of the parish priest. Moreover, if there was one point upon which the Roman Catholic lay witnesses were stronger in their evidence than another, it was in their claim to elect their own representatives on the governing body of the New Borough School. This right has been denied to them in the present scheme, although it has been conceded to the laity of the Church of Ireland.

I protest further, when numbers have been adopted as the basis of the distribution of the endowment, against the entire omission, from consideration, of the National Board grants, which are also from public funds, and which amount at present to more than £300 a year to one school only. If, in the future, one school should diminish in numbers from natural or artificial causes, it will under the Scheme be doubly starved, because it will have its necessary assistance from the endowment reduced, just at the moment when it most requires an increase. This is not consistent with the principle that every child in Swords is entitled to an equally good education and an equal share in the distribution of prizes according to merit. With the exception of £100 a year which has been reserved for competition between the two schools, money for prizes and for advancing in his deserving pupils is, under the Scheme, to be distributed, not according to merit nor according to need, but according

to numbers; special education in drawing, handicraft, husbandry, or in subjects of intermediate, technical, commercial, or industrial education are to be provided, not for each school, but according to numbers, which simply means for one school only. It is more mockery to say that the Governors of the other school may offer all these advantages to their pupils when they are not supplied with even a maintenance endowment of £100 a year. The maintenance of the buildings, furniture, and appliances of the schools is not to be defrayed from this large fund of over £700 a year, but it is to be defrayed out of the proportion allotted according to the numbers in average attendance. How can the children of the minority, or any of the children in a boycotted school be said to have equal advantages with their neighbours, as citizens of Swords, under such a Scheme? If thorough and equal efficiency is not to be secured in each school, it would be much better to have one school only, under joint management, and receiving a reasonable assistance from this fund, and then to devote the bulk of the endowment towards the foundation of a technical school in Dublin, with special advantages in such school for children from Swords.

I protest against the provision for vested interests. The schoolmaster and schoolmistress have a right to be so far protected in their interests, as to salaries at least, that no one shall have the right to deprive them of such, except the present Manager of the Borough School, or his successor, whereas the present Scheme leaves them completely at the mercy of an outside body. Rev. Mr. Boyes should be secured in his salary as deputy superintendent, on the faith of which he came to the parish, so long as he remains in the parish and performs the same duties, irrespective of the contingency of the death of the present rector. The compensation to Dr. Griffin, for his loss of future payments, should not be defrayed out of funds, nor the school property of the present Governors of the Borough School, but should be taken out of the funded endowment, so in the case of every other vested interest, provided for under the Scheme. The only vested interest thoroughly and fairly provided for, and left dependent entirely on the action of the holder of the interest himself, is that of the medical officer, the only Roman Catholic at present connected with the institution. I do not object to the compensation allowed to him, it is perfectly right, but at least as good terms should have been allowed to all others concerned.

Finally, I protest against the deliberate omission of the title "Church of Ireland" from the Scheme. The highest legal authority has declared that no other title is known to the law for this Church before or since the Union, or since the united Churches of England and Ireland have been separated by the Act of 1800, in which Act the title is recognized and preserved—and no legal authority has declared that title to be illegal, and as no other Church claims, or has claimed the same title, it is but wanton insult, prompted only by a dog-in-the-manger policy, to seek to deprive that Church of it, by any means, direct or indirect.

In condemning this Scheme, on the points to which I have called attention, I am not to be understood as in any way advocating the continuance of the present system, or anything approaching to it. The Roman Catholic inhabitants of Swords have had a just grievance for over half a century, not through any fault of the Governors of the Old Borough School, whose hands were tied by law, but through want of remedial legislation, which should long ago have given them representation on the governing body of the school, and extended the full benefits of the endowment equally to all the children in the community; but what I am anxious to secure is, that a violent swing of the pendulum shall not now take place in the opposite direction, and that the very grievances of which the Roman Catholic population have so long justly complained shall not now be transferred to the Protestant portion of the community, and laid upon a generation which is in no way responsible for the

error and grievance of the past. To begin by turning the Old Borough School, and to provide for its gradual extinction by placing a premium on every case which would further that extinction, and after the alteration and extinction of the school have been secured, to make no provision for the re-education, even in the smallest degree, of the Protestant minority upon the Board ultimately charged with the administration of this endowment, is to perpetuate the grievance of the past in an aggravated degree, is to intensify the ill-feeling which has too long existed in Sweden, instead of establishing a healing process, and is contrary not only to the wishes of the Protestant community there, but is opposed to the declared opinions of the Roman Catholic inhabitants, as laid before this Commission by their selected lay representatives.

In completing this protest, I regret to be obliged to add that, in my opinion, the parts of this Scheme to which I have chiefly objected, have been introduced with a view to satisfy the demands of the Roman Catholic Archbishop of Dublin. When the Arch-

bishop has it in his power to state that he has received a letter from the Roman Catholic Assistant Commissioner, in which "he placed himself absolutely in the hands of the Bishop to resign his Commissionerhip, in any way and at any time they may consider it right for him to do so," I can only consider that the demands put forward by that Commissioner emanate from the Archbishop himself. While always ready to give every consideration to the opinions of the Roman Catholic Hierarchy, or of any member of it, I protest against extreme ecclesiastical views being forced in this case upon this Commission, to a point far beyond the utmost demands put forward by the representatives of the Roman Catholic inhabitants of Sweden. I consider this Scheme to be tainted by concessions to extreme ecclesiastical and hierarchical demands, and as such I enter my formal protest against it.

ANTHONY TRAILL, M.D., M.B., F.R.C.S.,
Assistant Commissioner.

June 16th, 1885.

"THE SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND," AND OF "THE CHURCH OF IRELAND TRAINING COLLEGE."

NOTICE.—This Draft Scheme, first published on the Fifteenth day of June, 1885, has been prepared in pursuance of the Educational Endowments (Ireland) Act, 1885. During two months after the first publication, the Commissioners will receive any objections to the Scheme which may be made to them in writing by any public body or persons interested respecting it, and any amendments proposed thereon; and will afterwards proceed to consider such objections and amendments as by the said Act directed. All such objections and amendments should be forwarded to "The Secretary, Educational Endowments (Ireland) Commission, 25, NASSAU-STREET, Dublin."

No. 2. EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSIONER. City of DUBLIN.

DRAFT SCHEME, under the Educational Endowments (Ireland) Act, 1885, for the future government and management of the Educational Endowments of "THE SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND," and of "THE CHURCH OF IRELAND TRAINING COLLEGE," both of Kildare-place, in the City of Dublin.

Whereas "The Society for Promoting the Education of the Poor of Ireland" was formed in or about the year 1811, and afterwards acquired certain estates and interests in lands and buildings situate in Kildare-place and Kildare-street, in the city of Dublin, and certain Government securities, money, chattels, and other effects, which are now held and administered by a committee claiming to be constituted under the "Laws and Regulations" of the said Society:

And whereas an Institution for the training of teachers, and certain Schools connected therewith, known as "The Church of Ireland Training College," have been established and are now in operation in and upon the premises in Kildare-place and Kildare-street aforesaid, under the management of a committee appointed by the authority of the General Synod of the said Church, and additional buildings have been erected by the last mentioned committee upon the said premises for the purposes of the said College:

And whereas all the property belonging to or held in trust for the said Society, or used or available for the purposes thereof, and also all the property belonging to or held in trust for the said College, or used or available for the purposes thereof, now constitute educational endowments within the meaning of "The Educational Endowments (Ireland) Act, 1885," to the whole of which endowments the said Act applies:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said endowments, the same should be amalgamated, and the government and management thereof should be altered in manner hereinafter provided.

Therefore, from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall, by Order in Council, declare his approbation thereof), the said endowments shall be amalgamated, and shall thenceforth be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust, or direction relating to the subject matter of this Scheme, to the contrary notwithstanding.

Preliminary.—Interpretation of terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Act" shall mean "The Educational Endowments (Ireland) Act, 1885."

"The Training College" shall mean the Institution known as "The Church of Ireland Training College," with the schools connected therewith, and the site, buildings, curtilages, and appurtenances thereof, and the furniture, appliances, and other chattels therewith belonging, and all the estate and interest therein, held, possessed or enjoyed by any person or persons in trust for the same, or used for the purposes thereof.

"The Society" shall mean "The Society for Promoting the Education of the Poor of Ireland," which heretofore had its chief office at Kildare-place, in the city of Dublin, and was commonly known as "The Kildare-place Society," and shall include the "Committee" of the said society, and all or any other

ARTICLE G.

persons who, at the date of this Scheme, may be acting as members of or trustees for the said society or committee, and all or any other persons then holding or possessing any of the property thereof, or desiring to represent the same.

"The Governors" shall mean the Governing Body of "The Training College," hereby incorporated.

"The General Synod" shall mean the body known as "The General Synod of the Church of Ireland," or other the supreme legislative authority for the time being of the said Church, and shall include any authority duly empowered to represent or act for the General Synod in that behalf.

"Elementary Education" shall mean such education as may be given in the National schools which are aided by grants from the Commissioners of National Education in Ireland.

Incorporation of Governing Body of Training College.

2. From and after the date of this Scheme, a Governing Body shall be formed for the management of the Training College, in the manner following:—

It shall consist of the several members for the time being of the Committee appointed by or under the authority of the General Synod for the management of the Training College, whose names are contained in the first part of the First Schedule hereto; and also of such of the members of the Committee of the Society, acting as such at the commencement of the Act, whose names are contained in the second part of the said Schedule, as within one calendar month after the date of this Scheme shall declare their acceptance of the office in the manner hereinafter provided. Unless and until the General Synod shall otherwise provide, the said several persons shall be the Governors, and whenever any vacancy shall occur among such Governors, not being ex-officio Governors, by death, resignation, or otherwise, the remaining Governors may co-opt a Governor to fill such vacancy from amongst the members of the said Church, provided that no vacancy shall be so filled so long as the number of the Governors shall exceed thirty.

The said Governors shall constitute a body corporate with perpetual succession and a common seal, and power to hold property for the purposes of this Scheme.

Vesting of Endowments.

3. From and after the date of this Scheme, the Training College, and all the estate and interest therein heretofore held in trust for the Society under the instruments mentioned in the first part of the Second Schedule hereto, and all other lands, buildings, Government securities, moneys, chattels, and other property and effects, belonging to or held in trust for the Training College or the Society, or used or available for the purposes thereof, shall, without any new conveyance or instrument, be transferred to and vested in the Governors hereby constituted, and be thenceforth held by them and their successors for ever, upon and for the trusts and purposes, and subject to the conditions and provisions herein contained, subject nevertheless to all such rents, charges, tenancies, rights, easements, and liabilities as at the date of this Scheme may lawfully affect the same.

Transfer of Stock, Moneys, and Chattels.

4. From and after the date of this Scheme the Governor and Company of the Bank of Ireland shall, without further order transfer to the Training College the sum of £1,554 6s. 3d., Government New Three per Cent. stock, heretofore standing in the names of James R. Stewart, the Right Honorable Richard R. Warren, and Richard Wilson Gamble, as and being three of the existing "Committee" of the Society, and the moneys and chattels mentioned in the second part of the Second Schedule hereto, and all other securities, chattels, debts, and moneys held by any

person or persons for, or payable to or for the purpose of the Society or Training College, shall from and after the date of this Scheme, without any new transfer or instrument, be delivered, transferred, and paid by the person or persons possessed thereof or bound to pay the same to the Governors hereby constituted, and the receipt of any three Governors for any transfer, delivery, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Alteration of Governing Body.

5. At any time and from time to time after the date of this Scheme, the General Synod may alter the constitution of the Governing Body hereby constituted in such manner as such General Synod shall deem expedient, and may provide for the election, co-opting, or appointment of the Governors, other than ex-officio Governors, and may declare and define the offices or offices which shall qualify any ex-officio Governor a Governor; provided that every such office shall be an office or dignity in or connected with the said Church, and that every Governor shall be a member thereof, and that the number of Governors, other than ex-officio Governors, shall not be less than seven.

Trusts of Endowment.—Purposes of Scheme.

6. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all the property of or belonging to the Training College, or available for the purposes thereof, shall be held, used, and applied by the Governors, upon and for the following purposes:—

(a.) To maintain in and upon the premises in Kildare-place and Kildare-street aforesaid, or in and upon such other or additional premises as may, for the time being, be acquired or available for such purpose, a Training College within the meaning of the Act of Parliament passed in the second session in the 47th and 48th years of Her Majesty's reign, chapter 52, as an institution for boarding, lodging, and instructing Students, male and female, who are preparing to become, or are already, certified teachers in National or other Governmental Elementary Schools.

(b.) To maintain in and upon the same premises, or within a convenient distance thereof, one or more practicing National School or Schools in which the Students may learn the practical exercises of their profession.

(c.) To make such provision in and upon the same premises as the Governors may, from time to time, think fit for boarding, lodging, and instructing Students, male and female, who are preparing to become, or are already, teachers in Elementary Schools, not being National or other Governmental Schools, provided that the making of such provision shall be regulated by the demand at the time being for such teachers, and the special funds then at the disposal of the Governors for that department of the work of the Training College.

(d.) To provide, upon such terms and conditions as the Governors shall from time to time think expedient, for the admission to the Training College of Students, male and female, who are preparing to become or are already teachers by profession, though not teachers in schools, but so that the provision for training teachers in schools shall not be prejudicial thereby.

(e.) To provide, upon such terms and conditions as the Governors shall from time to time think expedient, for the admission to the Training College of extra Students, male and female, who are preparing to become or are already teachers, but so that the provision for resident Students shall not be prejudicial thereby.

Trusts of School Premises.

7. The Governors shall, subject to the other provisions of this Scheme, stand possessed of the land and buildings hereby vested in them, upon trust, in

the first instance, to use the same or each parts thereof as shall be required, for the purposes of the Training College and practising Schools, and for the accommodation of the Students and pupils attending the same; any parts of the said premises not required for such use shall, in the next place, be used, so far as shall be required, for the residence of such professors, teachers, officers, and servants, employed in the said College or Schools, as the Governors shall deem it expedient to provide with residence therein, and for such other educational purposes as shall from time to time be approved by the Governors. If, whenever, and so far as the said premises shall not be required for such purposes, the Governors may permit the same to be used for such other purposes as they may approve, upon such terms as they may think fit, so that such use shall not interfere with the efficient working of the College or Schools, and shall not be contrary to the Rules and Regulations of the Commissioners of National Education for the time being, and so that all or any money which may at any time be charged or received for such use shall be applied for the purposes of the Training College, and accounted for by the Governors accordingly.

Payment of Expenses.

8. The Governors shall, subject to the other provisions of this Scheme, pay out of the income of the funded and money endowments hereby vested in them, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors or out of the Endowment, for the costs and expenses of this Scheme, or of audit or inspection, or otherwise.

Additional Endowments.

9. The Governors may receive and hold donations, bequests, subscriptions, and other additional endowments, real and personal, and may apply the same for the purposes of this Scheme. They may also receive and hold donations, bequests, subscriptions and other endowments, real or personal, and apply the same for any object connected with the Training College, or with the purposes of this Scheme, which shall not be inconsistent with, or calculated to impede, the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts to be kept by the Governors under this Scheme.

Application of Endowment.

10. All moneys received by the Governors under or for the purposes of this Scheme shall (subject to the other provisions of this Scheme, and to any special trusts or conditions upon which any part thereof may be received), be expended and applied by them for the following purposes:—

(a.) To maintain the College, practising Schools, families, appliances, and premises in good order and condition, and to make such additions thereto, and improvements therein, as may be required from time to time.

(b.) To pay all rents, taxes, charges, cost of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and to defray the necessary working expenses of the Training College.

(c.) To maintain an efficient Training and Teaching Staff; for this purpose the Governors may supplement the aid which may be received from the Commissioners of National Education, and may employ and pay such Principal, Professors, Teachers, and Monitors, as they may deem it expedient to employ for the instruction of the students and pupils attending the College and Schools, including Professors and Teachers qualified to give instruction in such special subjects of Intermediate, Technical, Commercial, or Industrial Education as they shall deem suitable or useful for any sufficient number of such students or

pupils, and also including the cost of providing such Religious Instruction as they may deem it expedient to give to such of the Students and Pupils as shall be members of the said Church.

(d.) To maintain a sufficient household and domestic staff, and to make all other necessary provision for the board, lodging, and accommodation of the Students attending the College.

(e.) To provide prizes for the most deserving Students and Pupils; such prizes may be awarded in money or in remission of fees, or in such other manner as the Governors may deem best calculated to stimulate the industry, reward the diligence, or promote the progress of the Students and Pupils, or to increase the attendance at the College or Schools. Such prizes may be so given as to enable or encourage deserving and capable Students or Pupils, who require such assistance, to continue their education at the College or Schools longer than they could otherwise do, or to obtain special instruction or more advanced education during their training.

General Provisions as to Governing Body.—Powers of Governors.

11. Subject to the provisions of this Scheme, and to the Rules and Regulations of the Commissioners of National Education, the Governors may prescribe and regulate the course of instruction and the terms and vacations, and may make all necessary and proper arrangements to be observed in, and shall have and exercise general supervision and control over the College and Schools. Subject as aforesaid, they may appoint from time to time, upon such terms as they shall think fit, and at such salaries as they may deem sufficient, the several members of the training, teaching, household, and domestic staff, employed in or about the said Training College and Schools, and also such secretary, accountants, clerks, messengers, and other officers and servants, as they shall from time to time deem advisable; every officer in the employment of the Governors, and every teacher or other in the College or Schools shall be removable by the Governors for adequate cause, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice, subject, however, to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Act. Provided always that no person holding any paid office or employment under the Governors, or entitled to any salary or emolument out of the endowment, shall be capable of becoming, or shall continue to be a Governor. The Governors may, with the consent of the Commissioners of Charitable Donations and Bequests, grant to any officer in their employment who shall become incapable of further duty, or whose services shall be no longer required, a reasonable retiring pension or gratuity, to be fixed with due regard to length of service.

Connection with Commissioners of National Education.

12. The College and Schools shall continue to be in connection with, and shall remain subject to, the Rules and Regulations of the Commissioners of National Education. The Governors shall possess all rights, powers, and privileges, and may receive all grants, loans, and other aid, for the time being by law available for "Training Colleges under local management," upon the terms and in the manner prescribed by Statute, or by such Rules and Regulations with respect to such Training Colleges. The Governors may from time to time appoint and remove a Manager or Managers of the College and Schools.

Instruction in Practising Schools.

13. Subject to the other provisions of this Scheme, the Governors shall maintain the practising Schools in connection with the College as schools for Elementary Education, to which all scholars desiring to attend the

Article C. no child shall be admitted without regard to religious distinctions, and no child attending the same shall be compelled or permitted to receive or to be present at any religious instruction to which his or her parents or guardians object, and the times and mode of giving religious instruction in the said schools shall be so fixed that no child shall be thereby in effect excluded directly or indirectly from any of the other advantages afforded by the school.

Removal of Students or Pupils

14. The Governors may dismise from the College or Schools any student or pupil for adequate cause, such cause to be specified in the order of dismissal; and the sufficiency of such cause shall be in the sole discretion of the Governors.

Inspection

15. Unless and until the Lord Lieutenant shall appoint an Inspector in pursuance of the Act, section 17, such Inspector from time to time appointed by the Commissioners of National Education to inspect the College or Schools, in accordance with the Rules and Regulations of the said Commissioners, shall be deemed to be the Inspector appointed by the Lord Lieutenant under the Act, and the reports of each such Inspector shall be presented by the said Commissioners to the Lord Lieutenant; but such Inspector shall not be entitled as such to any remuneration in addition to the remuneration which he may be entitled to receive from the said Commissioners.

Appointment of Inspector by Lord Lieutenant.

16. If and whenever the Lord Lieutenant shall appoint an Inspector of the Training College, in pursuance of the Act, section 17, such Inspector shall inspect the same once at the least in each year, and so much often as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors as the Lord Lieutenant may direct.

Meetings of Governors

17. Within one calendar month after the date of this Scheme, and twice at the least in every year thereafter, the Governors shall meet at the Training College, and they may also meet at such other times and places as they may from time to time appoint. Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before such meeting. Any three or more Governors may at any time summon a special meeting, giving notice to each Governor six clear days at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the Governors present may appoint.

Chairman, Quorum, and Secretary.

18. Unless and until the General Synod shall otherwise provide, the Protestant Archbishop of Dublin shall, ex-officio, be Chairman, and shall preside at every meeting of the Governors; and in his absence the majority of the Governors present at each meeting shall elect a Chairman, who shall preside thereat. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes the Chairman shall have a second or casting vote. The Governors may appoint any one or two of their own number to act as Honorary Secretary or Secretaries.

Minutes, Books, and Documents

19. Every Governor, not being an ex-officio Governor, shall, at or before the first meeting which he attends, sign a declaration, in a book to be kept for that purpose, of his acceptance of the office of Governor of the Training College; and until he has signed such declaration he shall not be entitled to act as a Governor. Minute-books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting and two other Governors, shall be held to be validly executed on behalf of the Training College.

Committees

20. The Governors may from time to time appoint any two or more of their number to be a Committee or Committees to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this Scheme, or to manage such of the business of the Training College as the Governors may deem it expedient to depute to such Committee or Committees. The Governors may fix the powers, define the duties, and regulate the proceedings of every such Committee as they may think fit. They may also appoint a Committee of Ladies to assist in the management of the Training College, as may be found expedient.

Vacancies in the Office of Governor.

21. Every Governor, not being an ex-officio Governor, who shall resign by writing under his hand, or shall become bankrupt, or shall become incapable of acting, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy, with the cause thereof, shall be recorded in the minutes, and shall be filled, as hereinafter provided, as soon as conveniently may be after it shall have occurred.

By-laws and Regulations.

22. The Governors may from time to time make such by-laws and regulations as they shall consider convenient and useful for the good government and management of the Training College, and for effectuating the purposes of the Scheme; and they may prescribe and regulate the terms and conditions upon which students and pupils shall be admitted to the College and Schools respectively, and fix reasonable fees, to be payable by such students and pupils as they shall from time to time think fit; provided that no such by-law or regulation shall be inconsistent with the provisions of this Scheme, or with any of the Rules or Regulations of the Commissioners of National Education for the time being applicable to the said College or Schools, and that the same may be repealed, altered, and amended by the Governors from time to time as they shall deem expedient.

Accounts and Audit.

23. The Governors shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as shall be from time to time required by the Commissioners of Charitable Donations and Bequests, or prescribed by the Local Government Board, and the accounts for each year ending the 31st day of December, or an abstract thereof, in such form as the said Commissioners or Board shall prescribe, shall be submitted on or before the 1st day of March following to an Auditor of the Local Government Board, or to such other competent authority as the said Commissioners shall direct. The Governors shall keep an account with such bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash)

shall be lodged to or drawn from such account; and every cheque shall be signed by two Governors, at the joint, thereto authorized.

Sale, Letting, and Exchange.

24. The Governors may at any time, with the previous sanction of the Commissioners of Charitable Donations and Bequests, dispose, by way of sale or letting, or in exchange for other lands or hereditaments, of all or any of the lands and buildings vested in them (if and so far as not required for the purposes of the Training College) upon the most advantageous terms which they can reasonably obtain, and under such conditions as they shall think fit; and they shall receive and dispose of all moneys received on any such sale, letting, or exchange, for the purposes and in accordance with the provisions of this Scheme.

Investments.

25. The Governors may at any time sell any of the stocks, funds, and securities which may be vested in them for the purposes of this scheme, and may invest the moneys arising from any such sale, or from the sale or for equality of exchange of land or buildings, and also any residue of income not required for the purposes aforesaid, in any of the public stocks, funds, or securities of the United Kingdom, or of any Colony or Dependency thereof, or upon freehold or leasehold securities in the United Kingdom, on, with the approval of the General Synod, in or upon any of the preference shares or stocks, or the debentures or mortgages, of any Company or Corporation, whether municipal, commercial, or otherwise, carrying on business or constituted for any purpose in the United Kingdom or any Colony or Dependency thereof, which during the three years then last past shall have paid upon all its ordinary stock or shares a dividend in each year of not less than 3 per cent., and the Governors may from time to time vary such investments.

Kilmore-place Depository.

26. From and after the date of this scheme all books, stationery, school requisites, stock in trade, and other chattels and effects, in the Depository heretofore maintained by the Society at No. 4 Kilmore-place, or in the shop, rooms, or stores used in connection therewith, shall be transferred to the Governors by the person or persons then possessed thereof on behalf of the Society, and all trade debts and other sums then payable to the Society shall be thereupon payable to and recoverable by the Governors, and all like sums then payable by the Society shall be thereupon payable by and recoverable from the Governors, and the Governors may thereupon continue and carry on the same business heretofore carried on by the Society in such Depository, but so long only as it shall seem to the Governors to be for the advantage of the Training College so to do. So long as such business shall be so carried on the Governors may continue to make grants, free or at reduced prices, of books to and upon the application of any school or schools to which the like grants were heretofore made by the Society, provided that no such grant shall be made at the cost or out of the endowments of the Training College. Separate accounts of the said business and of the profit and loss arising therefrom shall be kept by the Governors, and included in the accounts to be annually submitted to audit as hereinbefore provided.

Provision for Vested Interests.

27. Every individual who at the date of the passing of the Act held, and at the date of this Scheme shall continue to hold, any office, place, employment, pension, compensation, allowance, or emolument under or arising out of the endowments hereby transferred to and vested in the Governors, shall continue to hold and be entitled to receive the same from the Governors of the Training College, upon the same terms and in the same manner in every respect as he or she held and was entitled to receive the same at the

date of the passing of the Act, and every such individual shall remain bound to perform the same and all like duties for the Governors, so long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this Scheme had not passed, and his or her employment may be determined by the Governors at any time after the date of this Scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, as he or on which such existing employers might have determined such employment if this Scheme had not passed.

Dissolution of the Society.

28. Immediately after the date of this Scheme the members of the existing "Committee" of the Society, shall proceed to pay and discharge out of the moneys in their hands all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or such other competent authority as the Commissioners of Charitable Donations and Bequests shall direct. Upon such audit the net cash balances remaining in the hands of the said Society, or of the members of the said "Committee," or of any of their officers, or of their treasurer or bankers, on their account, shall be ascertained and certified, and thereupon the same shall be forthwith transferred or paid to the Governors of the Training College, to be by them held and applied for the purposes of the Training College, and accounted for accordingly. The said existing Committee, or their officers, shall, at the same time, deliver to the Governors of the Training College all books, documents, and other chattels and effects belonging to or held by them or in their custody or control as such, and thereupon "The Society for Promoting the Education of the Poor of Ireland," shall be dissolved.

Alteration of Scheme.

29. This Scheme may be altered from time to time in any matter whatsoever by the Commissioners of Charitable Donations and Bequests for Ireland, upon the application of the Governors, or upon the application of the General Synod, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

FIRST SCHEDULE.

FIRST PART.—Managing Committee of the Training College.

The Most Rev. Lord Plunket, Archbishop of Dublin, Chairman.

Right Rev. Robert Geoggy, Bishop of Cork.
Right Rev. William P. Walsh, Bishop of Cloyne.
Right Rev. Wm. B. Chester, Bishop of Killaloe.
Hon. Mr. Justice Harrison.
Hon. Frederick Falkiner, Recorder of Dublin.
Very Rev. A. H. Loe, Dean of Cuthbert.
Very Rev. H. H. Dickinson, Dean of Chapel Royal.
Very Rev. H. Stewart, Dean of Drogheda.
Ven. J. G. Scott, Archdeacon of Dublin.
Ven. Garrett Nugent, Archdeacon of North.
Sir Andrew S. Hart, Vice-President, &c.
A. Traill, Esq., &c.
Rev. Canon Gekraith.
Rev. Canon Warren.
Rev. Canon Wynne.
Rev. Canon Bell.
Wm. Graham Brooke, Esq.
Thomas T. Chapman, Esq.
Henry F. Colley, Esq.
Rev. F. C. Hayes.
R. H. Kinahan, Esq.
Rev. Wm. Sherwood.
James Wilson, Esq.
Rev. J. J. Robinson.

APPENDIX C

SECOND PART.—*Acting "Committee" of the Society.*

John K. Barton, Esq., M.B.	R. H. A. McCanna, Esq.
Edward C. Carleton, Esq.	John H. Neen, Esq.
Charles Cobbe, Esq., M.B.	Thomas Ravington, Esq.
R. F. Franks, Esq.	77.
Esa. Judge Gamble.	John Seymour, Esq.
Anthony Lefroy, Esq.,	Henry M. Smythe, Esq.,
M.B., M.L.	M.B., M.L.
Henry Wm. Mackintosh,	James R. Stewart, Esq.
Esq.	Right Hon. R. R. Warren.
Robert Medbeck, Esq.	

SECOND SCHEDULE

FIRST PART.—*Particulars of Real, Chattel Real, and House Property comprised in Clause 3 of this Scheme.*

1. The house known as No. 4, Kilmare-place, with the school buildings, class rooms, outbuildings and appurtenances, and all other the hereditaments comprised in the deed of conveyance dated 13th July, 1816, from Luke White to Samuel Bewley and others, trustees for the Society.

2. The houses known as Nos. 10 and 11, Kilmare-street, with the outbuildings and appurtenances, and all other the hereditaments comprised in the indenture of lease dated the 1st January, 1825, from Henry White to Samuel Bewley and others, trustees for the Society.

3. All the beneficial estate and interest of the Society in the foregoing premises, and all the legal estate and interest held in trust for the Society therein, under the deed of conveyance and declaration of trust dated 12th October, 1829, made between John David La Touche and Joseph Deanecker Jackson.

SECOND PART.—*Particulars of Endowments comprised in Clause 4 of this Scheme.*

1. The interest of the Society in the residuary bequest of the late Hon. Sophia Ward, under her last will and testament, dated 13th December, 1824.

2. The annual sum of £10, payable to the Society under the last will and testament of the late Corbetta Carey, died 8th December, 1835, and now paid by the Commissioners of Charitable Donations and Bequests.

3. The interest of the Society in the bequest of £200, late Irish currency, under the last will and testament of the late Wm. P. Lefroy, dated 20th May, 1817 (the capital whereof is included in the sum of £1,524 6s. 3d., *Net* Terms per Cent. Government Stock, in the Scheme mentioned).

4. Stock of books, stationery, school requisites, and such-in-trade, fixtures, furniture, and effects in the Society's depository, No. 4, Kilmare-place, or in the shop, room, or stores used in connection therewith, with the debts due to the said depository, and the goodwill of the business carried on by the Society therein.

5. All cash balances standing to the credit of the Society, in bank or elsewhere, at the date of the Scheme.

Draft Scheme prepared and published by the Commissioners, in pursuance of the Act, section 21.

WILLIAM EDWARD ELLIS
Secretary.

15th June, 1886.

"MORGAN'S SCHOOL," AND "MERCER'S SCHOOL."

NOTICE.—This Draft Scheme, first published on the Twenty-sixth day of June, 1886, has been prepared in pursuance of the Educational Endowments (Ireland) Act, 1885. During two months after the first publication, the Commissioners will receive any objections to the Scheme which may be made to them in writing by any public body or persons interested respecting it, and any amendments proposed thereon; and will afterwards proceed to consider such objections and amendments as by the said Act directed. All such objections and amendments should be forwarded to "The Secretary, Educational Endowments (Ireland) Commission, 23, Nassau-street, Dublin."

No. 3.

County and City of DUBLIN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

DRAFT SCHEME, under the Educational Endowments (Ireland) Act, 1885, for the future government and management of the Educational Endowments known as "MORGAN'S SCHOOL," and "MERCER'S SCHOOL," both situate at Castlknock, in the County of Dublin.

WILL of Richard Morgan.

Whereas Richard Morgan, late of Newmarket, in the County of Dublin, deceased, by his will dated 10th March, 1773, devised and bequeathed to the Lord Primate of all Ireland, the Lord Chancellor of Ireland, the Lord Archbishop of Dublin, the Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron of the Exchequer, and the Lord Mayor of the City of Dublin, all for the time being, and their successors for ever, certain estates and property upon trust, out of the first produce thereof, to erect two separate buildings at a distance not exceeding two miles from Dublin; one to provide for the accommodation of 100 boys, the other for the accommodation of 100 girls, all the children of reduced or poor Protestant parents, to be clothed, sheltered, lodged, and properly educated, under proper masters and mistresses, and when of sufficient age, to be apprenticed to Protestant masters or mistresses, or portioned upon intermarrying with Protestants, as in the said will provided:

WILL of Mary Mercer.

And whereas Mary Mercer, late of the City of Dublin, Spinster, deceased, by her will dated 7th

August, 1753, devised and bequeathed to the Lord Archbishop of Dublin, the Lord Bishop of Kilmore, the Dean of the Cathedral Church of St. Patrick, Dublin, the Vicar of St. Peter's Parish, Dublin, and the Minister of St. Bride's Parish, Dublin, and to their successors for ever, certain estates and property, upon trust to employ the rents, issues, and profits for and toward the clothing, sheltering, maintaining, and supporting of poor girls, and for their instruction in reading, writing, and working, and qualifying them to be put out apprentices; and the said Mary Mercer also devised a certain house and school in St. Stephen's Churchyard, in the parish of St. Peter, and City of Dublin, unto the same trustees, upon trust to settle and place therein all such poor girls as should be provided for as aforesaid:

Charitable Bequest for Sick Poor.

And whereas the said Mary Mercer also by her will did directed her executors to lay out the sum of £3,000 (of the then currency of Ireland) on the purchase of lands to be conveyed to the same trustees, upon trust to apply the rents, issues, and profits thereof for the relief of poor indigent sick persons resident in the parishes of St. Peter, St. Bridget, St. Luke, and St.

Niches Without the Walls, in the city of Dublin, and directed that the respective ministers of the said parishes who should personally visit the sick, should have the distribution of the said money amongst such poor sick persons in the said parishes as they should judge to be proper objects for such relief, and that the trustees of her will should half-yearly divide and pay over the said sums in equal shares to the said respective ministers, who should distribute the same accordingly :

And whereas the said sum of £3,000 (late Irish currency) was afterwards, with other money, laid out on the purchase of certain lands now vested in the said trustees, and part of the rents and profits of the said lands, by way of interest on the said sum, has for many years past been applied by them to the intensioned charitable purpose :

Sale of Lands.

And whereas certain other lands vested in the said Trustees were afterwards sold, in pursuance of the *Lands Clauses Consolidation Act, 1845*, and the purchase money thereof was invested in the purchase of £3,041 19s. 2d. Government Consolidated 3 per Cent. Bank Annuities, now standing in the books of the Governor and Company of the Bank of England in the name of the Paymaster General of the Supreme Court of Judicature in England, and to the credit of an account entitled "*Ex-parte the Trustees of the Charitable Estate of Mary Mercer, late of the city of Dublin, deceased, and in the Matter of the London and North-Western Railway (Lines near Liverpool) Act, 1861*" :

Establishment of Schools.

And whereas two separate buildings were erected at Castleknock, in the county of Dublin, on the will of the said Richard Morgan directed, let the property held upon the trusts of the same will proved insufficient to carry out all the purposes thereof, and a school providing accommodation for thirty-six boys only or therabouts was established in one of the said buildings, and is now in operation, and is known as "*Morgan's School*" :

And whereas the house devised by the said Mary Mercer as aforesaid, afterwards became unsuitable for a school ; and the possession of the other of the said buildings at Castleknock was given by the Trustees of the will of the said Richard Morgan to the Trustees of the will of the said Mary Mercer ; and a school providing accommodation for thirty-six girls or therabouts was established therein, and is now in operation, and is known as "*Mercer's School*" :

And whereas all the estates and property now vested in or held by the Trustees of each of the heretofore recited wills, upon trust for or used or available for the purposes of the said schools, now constitute Educational Endowments within the meaning of "*The Educational Endowments (Ireland) Act, 1885*," and the said Act applies to the same :

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said endowment, the same should be amalgamated, and the government and management thereof should be altered in manner hereinafter provided, and that provision should also be made for effectuating the charitable trusts of the will of the said Mary Mercer respecting the said sum of £3,000, late Irish currency :

And whereas the dividends and income of the said sum of £3,041 19s. 2d. Government Consolidated Annuities, are, in the opinion of the Commissioners, equivalent to the proportion of the rents, issues, and profits of the property held upon the trusts of the said will which has heretofore been appropriated and applied to the charitable purposes by the said will directed respecting the said sum of £2,000, late Irish currency, and the Commissioners have determined

that the said sum of £3,041 19s. 2d. Government Consolidated Annuities ought henceforth to be appropriated and applied to the said charitable purposes as hereinafter provided.

Therefore from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said sum of £3,041 19s. 2d. Government Consolidated Annuities shall be disposed of, and the said endowments (other than the said sum of £3,041 19s. 2d. Government Consolidated Annuities), shall be amalgamated, and all the said endowments shall thenceforth be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, Letters Patent, Statute, Charter, Deed, Instrument, Trust, or Direction relating to the subject matter of this Scheme, to the contrary notwithstanding.

Preliminary.—Interpretation of Terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows :—

"The Act" shall mean "*The Educational Endowments (Ireland) Act, 1885*."

"The Governors" shall mean the Governing Body of Morgan's and Mercer's Schools, hereby incorporated.

"Morgan's School" shall mean and include the Boys' School heretofore existing at Castleknock, and known by that name, with the site, buildings, outbuildings, and appurtenances thereof, and all land held or occupied therewith, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein, held, possessed, or enjoyed by any person or persons upon the trusts or used for the purposes declared by the will of Richard Morgan, concerning the same school.

"Mercer's School" shall mean and include the Girls' School heretofore existing at Castleknock, and known by that name, with the site, buildings, outbuildings, and appurtenances thereof, and all land held or occupied therewith, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein, held, possessed, or enjoyed by any person or persons upon the trusts or used for the purposes declared by the will of Mary Mercer, concerning the same school.

"Morgan's School Endowment" shall mean and include all the lands, hereditaments, money, securities, chattels, and effects, and all other the property, real and personal, at the date of this Scheme held or possessed by the trustees of the will of Richard Morgan, or by any other person or persons, upon or for the trusts or purposes by the same will declared concerning "*Morgan's School*."

"Mercer's School Endowment" shall mean and include all the lands, hereditaments, money, securities, chattels, and effects, and all other the property, real and personal, at the date of this Scheme held or possessed by the trustees of the will of Mary Mercer, or by any other person or persons, upon or for the trusts or purposes by the same will declared concerning "*Mercer's School*," but shall not include the above mentioned sum of £3,041 19s. 2d. Government Consolidated Annuities.

"The General Synod" shall mean the body known as "*The General Synod of the Church of Ireland*," or other the supreme legislative authority for the time being of the said Church, and shall include any authority duly empowered to represent or act for the General Synod in that behalf.

"The Diocesan Council" shall mean the body known as "*The Diocesan Council of the Diocese of Dublin*," appointed in accordance with the constitution of the said Church, and shall include any authority duly empowered to perform the functions now performed by such Council.

Transfer of Stock upon Charitable Trusts for Sick Poor.

2. From and after the date of this Scheme, the sum of £3,041 19s. 2d., Government £3 per Cent. Consolidated Bank Annuities, now standing in the books of the Governor and Company of the Bank of England, in the name of the Paymaster-General of the Supreme Court of Judicature in England, and to the credit of an account entitled "*Reports the Trustees of the Charitable Estate of Mary Mercer, late of the city of Dublin, deceased, and in the matter of the London and North Western Railway (Lines near Liverpool) Act, 1861,*" together with all dividends then due or accruing thereon, and all such arising from such dividends which may be then standing to the credit aforesaid, shall, without any new conveyance or instrument, vest absolutely in the Commissioners of Charitable Donations and Bequests for Ireland, and the said Commissioners shall, as soon as conveniently may be thereafter, apply for and obtain a transfer to them of the said stock, dividends, and moneys, and the said Commissioners, after payment thereof of the costs of such transfer, shall thereupon stand possessed of the said sum upon trust half-yearly to divide the dividends, interest, and income thereof (including the dividends and cash, if any, payable as aforesaid) into four equal parts, and thenceforth for ever to pay one of such parts to the Protestant Incumbent or other principal Minister for the time being of each of the parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without, in the city of Dublin, or of any union of parishes which may include the same, and if any of the said parishes has been or shall be united with any other parish or parishes, the share of such parish so united shall be paid to the Incumbent or other principal Minister of the union, and if any of the said parishes has been or shall be divided, the share of the parish so divided shall be paid to the Incumbent or other principal Minister of the parish or union which may include the largest part of the divided parish. The sums to be paid as aforesaid shall be distributed by the Incumbents or Ministers receiving the same among poor sick persons in the said parishes as directed by the will of Mary Mercer, and shall be taken and applied by them in accordance with and in discharge and satisfaction of the trusts of the said will respecting the rents, leases, and profits of the lands thereby directed to be purchased for the sum of £2,090, late surveyor of Ireland, and the said trusts shall not affect the Governors hereby constituted or the Educational Endowments hereby vested in them or any part thereof.

Incorporation of Governing Body for Schools.

3. From and after the date of this Scheme, a Governing Body shall be formed for the joint government and management of Morgan's school and Mercer's school in manner following:—It shall consist of the following ex-officio Governors; namely, the Protestant Archbishop of Dublin; the Dean of the Cathedral Church of St. Patrick, Dublin; the Protestant Archdeacon of Dublin; the Incumbent of the parish of St. Peter, Dublin; the Incumbent of the parish of St. Bridget, Dublin, or of any union of parishes of which the said parish may form part; the Incumbent of the united parish of St. Luke and St. Nicholas Without, Dublin; and the Incumbent of the parish or of each of the parishes in which the said schools, or either of them, may be situate, all for the time being, together with six lay Governors to be appointed as hereinafter provided. The first lay Governors shall be the following:—

1. Sir Edward Cecil Guinness, of Farnleigh, Castleknock, Baronet.
2. Ion Trant Hamilton, of Abbotstown, Castleknock, Esquire.
3. Lieut-Colonel Richard Wilson Hartley, of Beechpark, Clonsilla.

4. John Fox Goodman, of Ashbrook, Castleknock, Esquire.
5. John W. Brooks, of Elmgrove, Castleknock, Esquire.
6. Charles Thompson, of Hollybrook, Mid. huddart, Esquire.

The said Governors shall constitute a Body Corporate by the name of "The Governors of Morgan's and Mercer's Schools," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

Appointment of Future Governors.

4. Two lay Governors shall go out of office on the 31st day of December first happening more than twelve months after the date of this Scheme, and upon every succeeding 31st day of December. The order in which the first lay Governor shall go out of office shall be determined by lot, and each lay Governor thereafter appointed shall hold office for three years and no longer. Every outgoing lay Governor shall be eligible for re-election provided he shall have attended at least one-third of the meetings of Governors held during his term of office, but not otherwise. Unless and until the General Synod shall otherwise provide, two lay Governors shall be appointed in the month of November or December in each year by the Diocesan Council, and shall enter upon office on the 1st day of January following. All the lay Governors shall be Protestants, and two at the least shall be resident in the parish, or in each of the parishes if more than one, in which the schools shall be situate. Whenever any casual vacancy shall occur among the lay Governors by death, resignation, or otherwise, the remaining Governors may co-opt a duly qualified Governor to fill such vacancy, and every Governor so co-opted shall hold office so long only as the Governor, in whose place he shall have been co-opted, might have held the same.

Vesting and Transfer of Endowments.

5. From and after the date of this Scheme, "Morgan's School" and "Morgan's School Endowment," and "Mercer's School" and "Mercer's School Endowment" shall, without any new conveyance or instrument, be transferred to and vested in "The Governors of Morgan's and Mercer's Schools," and be thenceforth held by them and their successors for ever upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained, and to all such rents, charges, rights, covenants, and liabilities as at the date of this Scheme may lawfully affect the same. From and after the date of this Scheme, all property, securities, goods, chattels, and moneys held by any person or persons for, or payable to, or for the purposes of Morgan's School or Mercer's School or the trustees thereof respectively, shall be delivered, transferred, and paid by the person or persons possessed thereof or bound to pay the same to the Governors hereby constituted, and the receipt of any three Governors for any transfer, delivery, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Alteration of Governing Body.

6. At any time and from time to time after the date of this Scheme, the General Synod may alter the constitution of the Governing Body hereby constituted in such manner as such General Synod shall deem expedient, and may provide for the election, co-opting, or appointment of the Governors, other than ex-officio Governors, and may declare and define the office or offices which shall qualify any ex-officio Governor or Governors; provided that the number of Governors, other than ex-officio Governors, shall not be less than six.

Trusts of Endowment.—Purposes of Scheme.

7. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all the property of or belonging to the Governors, or available for the purposes of this Scheme, shall be held, used, and applied by them upon and for the following trusts and purposes:—

To maintain a free Boarding School for poor or reduced Protestant Boys, to be called "Morgan's School," and a free Boarding School for poor or reduced Protestant Girls, to be called "Morgan's School," in the manner and subject to the conditions and provisions herein prescribed.

General Provisions as to the Schools.—Maintenance of Schools.

8. The schools shall be maintained in the buildings hitherto occupied thereby, respectively, or in such other buildings as the Governors may acquire, as hereinafter provided. The Governors may, if and when they shall so think fit, remove either or both of the said schools to some other convenient site or sites, in or near the City of Dublin, and upon any such removal of either school, the buildings and premises therefore occupied by it may be appropriated to the use of the other school, or may be sold, let, or otherwise disposed of, to the best advantage. Provided always that no such removal shall take place, nor shall any agreement for the same, or for any letting, sale, or disposal of the existing school premises, be made, or entered into by, or become binding upon the Governors, without the previous sanction of the Commissioners of Charitable Donations and Bequests for Ireland, and such sanction shall not be given unless and until the said Commissioners shall have satisfied themselves, upon due inquiry, that such removal is for the benefit of either or both Schools.

Free Pupils.

9. The number of female free pupils shall not be reduced below the number of the male free pupils, but the Governors may, if they think fit, admit and maintain a greater number of female free pupils than of male free pupils. The Governors may apply such portion of the income of Morgan's School Endowment as they may from time to time think fit, to the maintenance of female pupils, but the income of Morgan's School Endowment shall be applied to the maintenance of female pupils only.

Additional Endowments.

10. The Governors may receive and hold donations, subscriptions, and other additional endowments, real or personal, and apply the same for the purposes of this Scheme. They may also receive and hold donations, subscriptions, and other endowments, real or personal, and apply the same for any object connected with the Schools, or either of them, or with the purposes of this Scheme, which shall not be inconsistent with, or calculated to impede, the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts to be kept by the Governors under this Scheme.

Application of Endowment.

11. All moneys received by the Governors under or for the purposes of this Scheme shall (subject to the other provisions of this Scheme, and to any special trusts or conditions upon which any part thereof may be received), be expended and applied by them for the following purposes:—

(a.) To maintain the Schools, furniture, appliances, and premises in good order and condition, and to make such additions thereto, and improvements therein, as may be required from time to time.

(b.) To pay all rents, taxes, charges, cost of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and to defray the necessary working expenses of the Schools, and the cost of management.

(c.) To maintain an efficient Teaching Staff for the Schools; for this purpose the Governors may employ and pay such Teachers as they may deem it expedient to engage for the instruction of the pupils—including Teachers qualified to give instruction in such special subjects of Intermediate, Technical, Commercial, or Industrial Education as they shall deem suitable or useful for any sufficient number of the pupils. The education to be given in the Schools shall be such as may from time to time seem best calculated to enable the pupils on leaving School to maintain themselves in respectable positions of life by their own exertions.

(d.) To maintain a sufficient household and domestic staff, and to provide suitable board, lodging, and accommodation for the pupils.

(e.) To provide prizes for the most deserving pupils; such prizes may be awarded in such manner as the Governors may deem best calculated to stimulate the industry, reward the diligence, or promote the progress of the pupils, and may be so given as to enable or encourage deserving and capable pupils, who require such assistance, to continue their education at the Schools longer than they could otherwise do, or to obtain special instruction or more advanced education elsewhere.

(f.) To advance in life deserving pupils whose circumstances are such that they need assistance on leaving school. Such assistance shall, in each case, be given with due regard to the circumstances and needs of the pupil receiving the same, and may be given as or towards apprenticeship fees, the cost of obtaining special instruction or more advanced education elsewhere, or in such other mode, and subject to such conditions, as the Governors may consider most advantageous.

Election of Free Pupils.

12. The election of free pupils for each school shall take place once in each half-year, and not oftener, upon an appointed day, at a meeting of which every Governor shall have due notice; and before each election the Governors shall be furnished with a list of all the candidates, and a statement of the circumstances and claims of each. Public notice shall be given of the time and place appointed for each election, and of the manner and form in which applications may be made.

Qualifications of Free Pupils.

13. Every free pupil admitted shall be qualified as follows:—

(a.) He or she shall be the lawful child of Protestant parents, and shall, by the death, or by change in the circumstances of either or both parents, have been reduced to need the assistance to be obtained in the school.

(b.) He or she shall be of good character and conduct, and physically and intellectually fitted to take full advantage of the education given in the school.

(c.) He or she shall, upon the day of election, be not less than nine nor more than twelve years of age, unless in any case of exceptional urgency or necessity, when a candidate not less than eight, nor more than thirteen years of age, may be admitted by special resolution of the Governors.

(d.) All candidates shall present themselves at the school upon the day of election, shall be seen by the Governors, and shall be submitted to an examination to be conducted by or with the concurrence of the principal teacher of the school. The examination shall be directed to ascertain the education already received by the candidates, and their capacity for further instruction. The results thereof shall, with the other circumstances of each candidate, be taken into

APPENDIX C.

account by the Governors in selecting the pupils to be admitted.

(c.) After production of sufficient evidence of qualification, and after consideration by the Governors of the relative merits, needs, and circumstances of all the candidates, those to be admitted shall be elected by the open vote of the majority of Governors present.

Time of remaining in School.

14. Every free pupil admitted as aforesaid may be lodged, clothed, dieted, and instructed in the school until the end of the half-year in which he or she shall attain the age of sixteen years. During such half-year the Governors may, upon due consideration of the circumstances, conduct, and proficiency of the pupil, permit him or her to remain in the school for such further period, not exceeding one year, as they may think fit; and they may retain, until the age of eighteen years, any pupil wishing to adopt the profession of a teacher, or whose services as a monitor or pupil teacher shall be needed in the school.

Removal of Pupils.

15. The Governors may require, as a condition of admission, an undertaking from two relatives or friends of each candidate, to remove him or her from the school whenever required by the Governors, whether permanently or during vacation. The Governors may dismiss any pupil, at any time, for adequate cause, and the sufficiency of such cause shall be in the sole discretion of the Governors.

Paying Pupils.

16. In addition to the free pupils to be admitted as aforesaid, the Governors may from time to time, upon such terms and subject to such conditions and restrictions as they shall think proper, admit boarders or day pupils, who shall pay or contribute to the cost of their maintenance and education, but so that the provision for the free pupils shall not be prejudiced thereby, nor their number reduced below thirty in either school, so long as the income of the endowment shall suffice to maintain that number.

General Provisions as to Governing Body.—Chairman, Quorum, and Secretary.

17. The Archbishop shall be *ex-officio* Chairman of the Governors. The Governors at their first meeting in each year shall elect from among themselves a Vice-Chairman, who shall continue in office until the first meeting in the succeeding year. The Chairman, or in his absence the Vice-Chairman, shall preside at the meetings, and in the absence of both, the majority of the Governors present at each meeting shall elect a Chairman who shall preside thereat. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman shall have a second or casting vote. The Governors may appoint a competent person to act as their Secretary and Accountant, at such reasonable salary as they may think fit, and may appoint any one or two of their own number to act as Honorary Secretary or Secretaries.

Meetings of Governors.

18. Within one calendar month after the date of this Scheme, and twice at the least in every year thereafter, the Governors shall meet at the schools, and they may also meet at such other times and places as they may from time to time appoint. At each of two meetings to be held in each year at the schools, the Governors shall take the opportunity of examining for themselves into the material, moral, and educational condition of each school, and they

shall also make provision that one or more of the Governors shall visit each school once at least in each month (except during vacation). Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before each meeting. The Chairman, or in his absence the Vice-Chairman, or any five other Governors, may at any time summon a special meeting, giving notice to each Governor six clear days at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the Governors present may appoint.

Minutes, Books, and Documents.

19. Every Governor, not being an *ex-officio* Governor, shall, at or before the first meeting which he attends, sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor, and until he has signed such declaration he shall not be entitled to act as a Governor. Minutes-books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting, and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committee.

20. The Governors may, from time to time, appoint a Committee or Committees consisting of any two or more of their number to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this Scheme, or to manage such of the business of the schools as the Governors may deem it expedient to delegate to such Committee or Committees. The Governors may fix the powers, define the duties, and regulate the proceedings of every such Committee as they may think fit. They may also appoint a Ladies' Committee to assist them in the management of the schools as may be found expedient.

Vacancies in the Office of Governor.

21. Every Governor, not being an *ex-officio* Governor, who shall resign by writing under his hand, or shall become bankrupt, or shall become incapable of acting, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy with the cause thereof shall be recorded in the Minutes, and shall be filled as hereinbefore provided as soon as conveniently may be after it shall have occurred.

By-Laws and Regulations.

22. The Governors may, from time to time, make such by-laws and regulations as they shall consider convenient and needful for the good government and management of the schools, and for effectuating the purposes of this Scheme; provided that no such by-law or regulation shall be inconsistent with the provisions of this Scheme, and that the same may be repealed, altered, and amended by the Governors as they may from time to time think fit.

Accounts and Audit.

23. The Governors shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as shall be from time to time required by the Commissioners of Charitable Donations and Bequests, or prescribed by the Local Government Board, and the accounts for each year ending the 31st day of December or such other day as the said Commissioners or Board shall appoint, or

an abstract thereof, in such form as the said Commissioners or Board shall prescribe shall be submitted for audit on or before the 1st day of March following, or such other day as the said Commissioners or Board shall appoint, to an Auditor of the Local Government Board, or to such other competent authority as the said Commissioners shall direct. The Governors shall keep an account with such book as they may from time to time select, and all moneys receivable or payable by them (except petty cash) shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorized.

Inspection.

24. If and whenever the Lord Lieutenant shall appoint an Inspector of the schools, in pursuance of the Act, section 17, such Inspector shall inspect the same at the least in each year, and so much often as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors as the Lord Lieutenant may direct.

Powers of Governors.

25. Subject to the provisions of this Scheme, the Governors may prescribe and regulate the course of instruction, and the terms and vacations, and may make all necessary and proper arrangements to be observed in, and shall have and exercise general supervision and control over the schools. Subject as aforesaid, they may appoint from time to time, upon such terms as they shall think fit, and at such salaries as they may deem sufficient, the several members of the teaching and domestic staff employed in or about the schools, and also such other officers and servants as they shall from time to time deem advisable. Subject to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Act, every teacher, officer, and other person in the employment of the Governors shall be removable by the Governors for adequate cause, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice. The Governors may, with the consent of the Commissioners of Charitable Donations and Bequests, grant to any teacher or other officer in their employment who shall become incapable of further duty, or whose services shall be no longer required, a reasonable retiring pension or gratuity, to be fixed with due regard to length of service. No person appointed after the date of this Scheme to any paid office or employment under the Governors, or becoming entitled to any salary or emolument out of the endowment under any such appointment, shall be capable of becoming, or shall continue to be a Governor.

Extern Education.

26. If it shall at any time be found expedient to provide all or any part of the education of all or any of the pupils at any neighbouring day school or schools, or to permit them to visit any teacher or teachers for the purpose of instruction out of the schools, the Governors may make such arrangements for this purpose as they shall deem best calculated to secure or increase the efficiency of the endowments, to save expense, and to promote the education of the pupils.

Management of Estates.

27. The Governors may, from time to time, make such arrangements as they may deem expedient for the custody of all deeds and documents belonging to the Endowment, for the management of the estates and property vested in them, for the appointment of a land agent or land agents, and for the employment of a solicitor or solicitors and of such bailiffs and other officers as they shall find it expedient to employ to

assist in such management. Every agent shall be required to account once at least in each year, and in each account to include all rents and other income due or payable up to the date next preceding the date of furnishing the account to the Governors.

Lettings.

28. The Governors may make agricultural or occupation leases and lettings of land from year to year or for any term of years not exceeding forty years, and leases of buildings from year to year, or for any term not exceeding ninety-nine years, and leases for building for any term not exceeding 260 years, so that every such lease and letting shall take effect in possession upon or within three years after the making thereof, and shall be made at the highest rent that may fairly and reasonably be obtained, and without fine.

Sale, Exchange, and Pledge.

29. The Governors may, in such manner as they with the consent of the Commissioners of Charitable Donations and Bequests shall deem most expedient, sell, exchange, let upon fine, mortgage, or otherwise dispose of, all or part of the lands and buildings (not being required for the purposes of the Schools, or either of them) which may be vested in them, so that every such dealing shall be carried out to the best advantage, and that all money obtained thereon shall be treated as part of the capital of the Endowment, and invested or otherwise disposed of in accordance with the provisions hereof.

Investment.

30. The Governors may from time to time sell any of the estates, funds, and securities vested in them, and invest the moneys arising therefrom, or other the capital of the endowment, and also any surplus or residue of income not required for the purposes of the schools, in any of the public stocks, funds or securities of the United Kingdom, or of any colony or dependency thereof, or in the stock of the Bank of England or of Ireland, or upon freehold or leasehold securities in the United Kingdom, or with the approval of the Commissioners of Charitable Donations and Bequests, upon any of the preference shares or stocks, or the debentures or mortgages, of any company or corporation, whether municipal, commercial, or otherwise, carrying on business or constituted for any purpose in the United Kingdom, or any colony or dependency thereof, which during the three years then last past shall have paid upon all its ordinary stock or shares a dividend in each year of not less than 3 per centum, and the Governors may from time to time vary such investments.

Payment of Expenses.

31. The Governors shall, subject to the other provisions of this scheme, pay out of the income of the endowments hereby vested in them, all expenses and outgoings which under the provisions of the Act shall be properly and accessibly payable by the Governors or out of the endowment, for the costs and expenses of this scheme, or of audit or inspection, or otherwise.

Provision for Vested Interests.

32. Every individual who at the date of the passing of the Act held, and at the date of this scheme shall continue to hold, any office, place, employment, pension, compensation, allowance, or emolument under or arising out of the endowments hereby transferred to and vested in the Governors, shall continue to hold and be entitled to receive the same from the Governors, upon the same terms and in the same manner as every respect as he or she held and was entitled to receive the same at the date of the passing of the Act, and every such individual shall remain bound to perform

ARTICLE C

the same and all like duties for the Governors, so long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this Scheme had not passed; and his or her employment may be determined by the Governors at any time after the date of this Scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, by or on which such existing employers might have determined such employment if this Scheme had not passed.

Discharge of existing Trustees.

33. Immediately after the date of this Scheme the existing Trustees of Morgan's School and Mercer's School respectively, shall proceed to pay and discharge out of the moneys in their hands all the annuities, outgoings, and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or such other competent authority as the Commissioners of Charitable Donations and Bequests shall direct. Upon such audit the net cash balances remaining in the hands of the said Trustees or of their treasurer or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said

Trustees, shall be forthwith transferred or paid to the Governors, to be by them held and applied for the purposes of this Scheme, and accounted for accordingly. The said existing Trustees shall, at the same time, deliver to the Governors all books, documents, and other chattels and effects belonging to or held by them as such Trustees, and thereupon the said Trustees shall be discharged. All debts and other sums then accruing or payable to or recoverable by the said Trustees respectively, shall thereupon and thenceforth accrue and become payable to or recoverable by the Governors, and all sums then payable by and recoverable from the said Trustees respectively shall be thereupon and thenceforth payable by and recoverable from the Governors.

Alteration of Scheme.

34. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland in any matter whatsoever upon the application of the Governors or upon the application of the General Synod, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

Draft Scheme prepared and published by the Commissioners in pursuance of the Act, sec. 21.

WM. EDWARD ELLIS, Secretary.

26th June, 1885.

THE METHODIST FEMALE ORPHAN SCHOOL.

NOTE.—This Draft Scheme, first published on the twenty-first day of August, 1885, has been prepared in pursuance of the Educational Endowments (Ireland) Act, 1885. During two months after the first publication, the Commissioners will receive any objections to the Scheme which may be made to them in writing by any public body or persons interested respecting it, and any amendments proposed thereon; and will afterwards proceed to consider such objections and amendments as by the said Act directed. All such objections and amendments should be forwarded to "The Secretary, Educational Endowments (Ireland) Commission, 23, Nassau-street, Dublin."

No. 4.

City and County of DUBLIN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

DRAFT SCHEME, under the Educational Endowments (Ireland) Act, 1885, for the future government and management of the Educational Endowment in the City of Dublin known as "THE METHODIST FEMALE ORPHAN SCHOOL."

Whereas Solomon Walker, late of Francis-street, in the City of Dublin, silk manufacturer, deceased, by his will, dated 13th July, 1863, bequeathed the sum of £150 and the annual interest (then amounting to £100) on the sum of £2,000 Government stock for the purpose of founding and supporting a Female Charity School in the City of Dublin, to be called the Methodist Female Orphan School:

And whereas a school was founded in pursuance of the said will, and was afterwards removed to, and is now maintained in the house No. 36, Harrington-street, in the City of Dublin, held under a grant for ever, dated 27th August, 1853, at the yearly rent of £7 4s. 6d.:

And whereas in the year 1835, by decree of the then Court of Chancery, in the cause of Kyle against Barrett, a sum of £400, late Irish currency, was allocated for the purposes of the said school out of the assets of the late Rev. John Barrett, Senior Fellow of Trinity College, Dublin:

And whereas, in addition to the above-mentioned bequests, certain other benefactions have been since received for the purposes of the said School, and the same, with the principal of the said bequests, are

now represented by two sums of £2,288 18s. 1d. and £497 5s. 4d. India 4 per cent. stock, the particulars whereof are specified in the Schedule hereto; and the said stock and the premises occupied for the purposes of the said school now constitute an Educational Endowment within the meaning of "The Educational Endowments (Ireland) Act, 1885," to the whole of which Endowment the said Act applies:

And whereas the cost of erecting the present school-house, and of maintaining the school for many years past, has been chiefly provided by voluntary collections and contributions from members of the Methodist Society resident in the City and County of Dublin:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that, in order to extend the usefulness of the said Endowment, the government and management thereof should be altered, in manner hereinafter provided:

Therefore, from and after the date of this scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said Endowment shall be held, governed, managed, and applied for the purposes, with the power, under the conditions and provisions, and in the manner

hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust, or direction relating to the subject-matter of this Scheme to the contrary notwithstanding.

Preliminary.—Interpretation of Terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Act" shall mean "The Educational Endowments (Ireland) Act, 1885."

"The Methodist Female Orphan School" shall mean the Institution heretofore known by that name, and now carried on at No. 36, Harrington-street, in the City of Dublin, with the site, buildings, curtilage, and appurtenances thereof, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein, now held possessed or enjoyed by any person or persons in trust for the same School, or used for the purposes thereof.

"The Governors" shall mean the Governing Body of "The Methodist Female Orphan School," hereby incorporated.

"Elementary Education" shall mean such education as may be given in the National schools which are aided by grants from the Commissioners of National Education in Ireland.

"The Conference" shall mean the General Conference of the Methodist Society, or other the supreme authority for the time being of the said Society in Ireland, and shall include any authority duly empowered to represent or act for the Conference in that behalf.

Incorporation of Governing Body.—Governing Body and appointment of Governors.

2. From and after the date of this Scheme, a Governing Body shall be formed for the government and management of the Methodist Female Orphan School in manner following:—

It shall consist, in the first instance, of the following seven persons, being the existing Governors and Members of the Committee of Management of the said School, namely:—James Booth, Robert Booth, Edward Hodgins, Roger Hecox, John Jameson, The Reverend B. Crawford Johnson, J. Lambert Jones, Andrew Kingsbury, Samuel McDermott, The Reverend Charles Robertson, P. B. Robinson, James H. Swanton, George Sykes, and G. Woodhouse; together with the following four *ex-officio* Governors, namely:—The Chairman and the Financial Secretary of the Dublin District in the Methodist Society, the General Secretary for Home Missions of the same District, and the Principal Officiating Minister of the Methodist Centenary Chapel, Dublin—all for the time being.

The Governors shall constitute a Body Corporate by the name of "The Governors of the Methodist Female Orphan School," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

Vacancies among existing Governors.

3. Each of the existing Governors above-named shall hold office until he shall die, or resign by writing under his hand, or shall become bankrupt, or shall refuse to act, or become incapable of acting, or shall cease to reside permanently in the City or County of Dublin, or shall for the space of one year fail to attend any meeting of the Governors, whereupon he shall vacate his office.

Election of additional Governors.

4. In addition to the Governors hereinbefore con-

stituted, annual Governors may from time to time be elected as follows:—

(a.) A meeting of Subscribers to the School, of which the Governors shall give due notice, shall be held in the month of December in each year after the date of this Scheme, and those present or represented by proxy at such meeting who shall have at any time subscribed £5 or upwards in one sum, or shall in the then current year have subscribed not less than ten shillings for the purposes of the School, may elect not more than five duly qualified Governors for the ensuing year.

(b.) The Quarterly Meeting held next before the 1st day of January in each year after the date of this Scheme, of each "Circuit" of the Methodist Society in Ireland, which shall in the current year, have collected a sum of not less than £10 for the purposes of the School, may elect not more than two duly qualified Governors for the ensuing year, and may elect a third such Governor if the sum so collected by them shall amount to £30 or upwards. Provided that no contribution included in the collection of any Circuit under this clause shall qualify the donor to vote under the preceding clause for Governors at the meeting of subscribers.

Every person who shall have at any time subscribed £10 or upwards in one sum, or shall in the year current at the time of election have subscribed not less than £1 for the purposes of the School, shall be duly qualified to be elected in manner aforesaid, or to be co-opted as hereinafter provided. Every elected Governor shall enter upon office on the 1st day of January, and hold office for the year next following his election, and shall be eligible for re-election if he shall have attended not less than one-third of the meetings of the Governors held during each year, and shall be otherwise qualified.

Causes for Vacancies.

5. Whenever any elected Governor shall die, or resign by writing under his hand, or become bankrupt, or refuse to act, or become incapable of acting, or cease to reside permanently in the City or County of Dublin, he shall thereupon vacate his office, and the fact of such vacancy, with the cause thereof, shall be recorded in the minutes of the Governors, and as soon as conveniently may be after the occurrence of such vacancy, the remaining Governors shall co-opt a duly qualified Governor to fill such vacancy, and every Governor so co-opted shall hold office so long as the Governor in whose place he shall have been co-opted might have held the same.

Alteration of Governing Body.

6. At any time, and from time to time after the date of this Scheme, the Conference may alter the constitution of the Governing Body hereby constituted in such manner as such Conference shall deem expedient, and may define the qualification, and provide for the election, co-optation or appointment of the Governors other than *ex-officio* Governors, and may declare and define the office or offices which shall qualify any *ex-officio* Governor or Governors; provided that every Governor, other than an *ex-officio* Governor, shall be a subscriber or contributor to the funds of the School, and that the number of Governors, other than *ex-officio* Governors, shall not be less than seven, and that no existing Governor shall be removed without his own consent.

Vesting and Transfer of Endowments.

7. From and after the date of this Scheme, "The Methodist Female Orphan School," and all the estate and interest therein, heretofore held in trust for the School under the instrument mentioned in the first part of the Schedule hereto, and all other property, real and personal, belonging to or held in trust for the

Article 2.—School, or used or available for the purposes thereof, shall, without any new conveyance or instrument, be transferred to and vested in the Governors hereby constituted, and be thenceforth held by them and their successors for ever, upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained, subject nevertheless to all such rents, charges, rights, easements, and liabilities, as at the date of this Scheme may lawfully affect the same. From and after the date of this Scheme, the Governor and Company of the Bank of Ireland shall, without further order, transfer to the Governors of the Methodist Female Orphan School the two several sums of £2,289 18s. 1d. and £497 9s. 4d. India 6 per cent stock specified in the second part of the Schedule hereto, heretofore held in trust for the School, and all dividends due or accruing thereon, and all other property, securities, goods, chattels, debts and moneys held by any person or persons for, or payable to or for the purposes of the School, or the Trustees or Governors thereof respectively, shall, from and after the date of this Scheme, without any new transfer or instrument, be delivered, transferred and paid by the person or persons possessed thereof, or bound to pay the same, to the Governors hereby constituted, and the receipt of any three Governors for any transfer, delivery or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Management of Property.—Sale, Letting, and Exchange.

8. The Governors may at any time, with the previous sanction of the Commissioners of Charitable Donations and Bequests, dispose, by way of sale or letting, or in exchange for other lands or hereditaments, all or any of the lands and buildings which now are, or at any future time may be, vested in them, upon the most advantageous terms which they can reasonably obtain, and under such conditions as they shall think fit; and they shall receive and dispose of all moneys received on any such sale, letting, or exchange, for the purposes and in accordance with the provisions of this Scheme.

Investments.

9. The Governors may at any time sell any of the stocks, funds, and securities which may be vested in them for the purposes of this Scheme, and may invest the moneys arising from any such sale, or from the sale, or for equality of exchange of land or buildings, and also any residue of income not required for the purposes aforesaid, in any of the public stocks, funds, or securities of the United Kingdom, or of any Colony or Dependency thereof, or upon freehold or leasehold securities in the United Kingdom, or, with the previous sanction of the Commissioners of Charitable Donations and Bequests, in or upon any of the preference shares or stocks, or the debentures or mortgages of any Company or Corporation, whether municipal, commercial, or otherwise, carrying on business or constituted for any purpose in the United Kingdom, or any Colony or Dependency thereof, which, during the three years then last past shall have paid upon all its ordinary stock or shares a dividend in each year of not less than 3 per cent, and the Governors may from time to time vary such investments.

Additional Endowments.

10. The Governors may receive and hold additional property, real and personal, donations, bequests, subscriptions, and other endowments, and may apply the same for the purposes of this scheme; they may also receive and hold such property, subscriptions, donations, bequests, and endowments, for any objects connected with the school, or with the purposes of this Scheme, which shall not be inconsistent with, or

calculated to impede, the efficient working of the provisions hereof. All property and money so received or applied shall be included in the accounts to be kept by the Governors under this Scheme.

Trusts of Endowment.—Purposes of Scheme.

11. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all property of or belonging to the Governor or available for purposes of this Scheme, shall be held, used, and applied by them upon trust to maintain in the City or County of Dublin a Female Charitable Boarding School for orphan children, to be called "The Methodist Female Orphan School," and to be maintained in the manner and subject to the conditions and provisions herein prescribed. The School shall be maintained in the building hitherto occupied thereby, unless and until the Governors shall cause the school to be removed as hereinafter provided. The Governors may, if and when they shall so think fit, remove the said School to some other convenient site in the City or County of Dublin, and upon any such removal, the interest of the Governors in the building and premises theretofore occupied by them may be sold, let, or otherwise disposed of by them to the best advantage.

Application of Endowment.

12. All moneys received by the Governors under or for the purposes of this Scheme, shall, subject to the other provisions herein contained, and to any special trusts or conditions upon which any part thereof may be received, be expended and applied by them for the following purposes:—

(a) To maintain the school, furniture, appliances, and premises, in good order and condition, and to make such additions thereto and improvements therein, as may be required from time to time.

(b) To pay all rents, rates, taxes, charges, costs of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and to defray the necessary working expenses of the School, and the cost of management.

(c) To pay the salary of an efficient matron who shall have the care and management of the children boarding in the school, and shall be qualified to give instruction in such special subjects of domestic and industrial education as the Governors may from time to time consider necessary.

(d) To maintain a sufficient household and domestic staff, and to provide suitable board, lodging, and accommodation for the pupils.

(e) To defray the cost of educating the pupils, either by paying such fees as may be necessary to obtain them a suitable education at a convenient public day-school, or by engaging a teacher or teachers to instruct them in the school, or partly in the one mode and partly in the other, as the Governors shall from time to time think expedient. The education given to the pupils shall be a thorough English elementary education, and may include instruction in such special subjects of intermediate, technical, commercial, or industrial education as the Governors shall deem suitable or useful for any sufficient number of the pupils. The education to be given to the pupils shall be such as may from time to time seem best calculated to enable them on leaving school to maintain themselves in respectable positions of life by their own exertions.

(f) To provide prizes for the most deserving pupils; such prizes may be awarded in such manner as the Governors may deem best calculated to stimulate the industry, reward the diligence, or promote the progress of the pupils, and may be so given as to enable or encourage deserving and capable pupils, who require such

assistance, to continue their education longer than they could otherwise do, or to obtain special instruction or more advanced education.

(g.) To advance in life deserving pupils whose circumstances are such that they need assistance in leaving school. Such assistance shall, in each case, be given with due regard to the circumstances and needs of the pupil receiving the same, and may be given as or towards apprenticeship fees, the cost of obtaining special instruction or more advanced education, or in such other mode, and subject to such conditions, as the Governors may consider most advantageous.

Divine Worship and Religious Instruction.

13. The children shall, under the care of the matron, or some other responsible person, attend Divine Service at such place of worship as the Governors shall from time to time appoint, and shall receive such religious instruction as may from time to time be approved by the Governors. Provided that the Governors shall, upon application made to them by the parent, guardian, or other person having the legal right to the custody of any pupil, permit such pupil, on proper supervision being provided, to attend the Sunday morning service in any convenient place of worship of the religious denomination to which such pupil may belong, and shall also make arrangements that each pupil may receive any religious instruction given to children of her own denomination in any school which the pupils may attend.

Election of Free Pupils.

14. The number of free pupils to be admitted to the school shall be as large as the amount of the funds will from time to time allow. Whenever there shall be a vacancy an election shall be held, but not oftener than once in each half-year. Every election shall take place on an appointed day, at a meeting, of which every Governor shall have due notice. The application for admission to the school shall be in such form as the Governors shall from time to time sanction and approve, and at least seven days before each election every Governor shall be furnished with a list of all the candidates, and a statement of the circumstances and the claims of each. Public notice shall be given of the time and place appointed for each election, and of the manner and form in which applications may be made.

Qualifications of Free Pupils.

15. Every free pupil admitted shall be qualified as follows:—

(a.) She shall be the lawful child of Protestant parents, and shall by the death of either or both parents have been reduced to need the assistance to be obtained from the school.

(b.) She shall be of good character and conduct, and physically and intellectually fitted to take full advantage of the education given by the school.

(c.) She shall, upon the day of election, be not less than eight, nor more than twelve years of age, unless in any case of exceptional urgency or necessity, when a candidate not less than seven, nor more than thirteen years of age, may be admitted by special resolution of the Governors.

(d.) After production of sufficient evidence of qualification, and after consideration by the Governors of the relative merits, needs, and circumstances of all the candidates, those to be admitted shall be elected by the open votes of the majority of Governors present, and the names of the Governors taking part in every such election shall be duly recorded in the minutes.

(e.) All candidates shall present themselves at the school upon the day of election, shall be seen by the Governors, and shall be submitted to an examination which shall be directed to ascertain

the education already received by the candidates, and their capacity for further instruction. The results thereof shall, with the other circumstances of each candidate, be taken into account by the Governors in selecting the pupils to be admitted.

Time of remaining in School.

16. Every pupil may be lodged, clothed, dieted, and instructed in the school until the end of the half-year in which she shall attain the age of sixteen years. During each half-year the Governors may, upon due consideration of the circumstances, conduct, and proficiency of the pupil, permit her to remain in the school for such further period, not exceeding one year, as they may think fit; and they may retain, until the age of eighteen years, any pupil wishing to adopt the profession of a teacher, or who may be engaged as a monitor or pupil teacher in the Methodist Female Orphan School, or in any day school attended by the pupils.

Provision for Elementary Education.

17. The Governors may require, as a condition of admission, an undertaking from two relatives or friends of each candidate, to remove her from the school whenever required by the Governors, whether permanently, or during vacation. The Governors may discontinue any pupil, at any time, for adequate cause, and the sufficiency of such cause shall be in the sole discretion of the Governors.

Paying Pupils.

18. In addition to the free pupils to be admitted as aforesaid, the Governors may from time to time, upon such terms and subject to such conditions and restrictions as they shall think proper, admit boarders or day pupils, who shall pay or contribute to the cost of their maintenance and education, but so that the provision for the free pupils shall not be prejudiced thereby.

General Provisions as to Governing Body.—Chairman, Quorum, and Secretary and Treasurer.

19. The Governors shall appoint a chairman at their first meeting, and thereafter at the first ordinary meeting in each year, or at an ordinary meeting to be held at such period of the year as they may from time to time determine. They shall make such appointments as they think fit for supplying his place in the case of his death, resignation, or absence during his term of office. The chairman shall always be eligible for re-election. The chairman shall preside at every Meeting of the Governors. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the chairman shall have a second or casting vote. The Governors may appoint any one or two of their number to act as Honorary Secretary and Treasurer.

Meetings of Governors.

20. Within one calendar month after the date of this Scheme, and once at the least in every month thereafter, the Governors shall meet at the school, and they may also meet at such other times and places as they may from time to time appoint. Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before each meeting. The chairman and secretary or any five other Governors may, at any time, summon a special meeting of the Governors, giving notice to each Governor six clear days at the least, or such other time as the Governors may direct, before each meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time or place as the Governors present may appoint.

Minutes, Books, and Documents.

21. Every Governor, not being an ex-officio Governor, shall at or before the first meeting which he attends,

Appendix C

sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the chairman of any meeting and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committees.

23. The Governors may, from time to time, appoint any two or more of their number to be a Committee to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this Scheme. The Governors may fix the powers, define the duties, and regulate the proceedings of every such Committee as they may think fit. They shall also appoint a Committee of Ladies to assist in the management of the school, and may define the duties and regulate the proceedings of such Committee from time to time.

By-laws.

24. The Governors may from time to time make such by-laws and regulations as they shall consider convenient and needful for the good government and management of the School, for regulating the election of Governors, and for effectuating the other purposes of this Scheme, provided that no such by-law or regulation shall be inconsistent with the provisions of this Scheme, and that the same may be repealed, altered, and amended, by the Governors, from time to time, as they shall deem expedient.

Annual Meeting of Subscribers.

25. The Governors shall, once in each year, upon an appointed day, of which public notice shall be given, summon a meeting of the subscribers to the School, at which the Governors shall present an annual report of their proceedings, and shall make all necessary arrangements for the election of Governors as hereinbefore provided.

Accounts and Audit.

26. The Governors shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as may be from time to time prescribed by the Local Government Board, and the accounts for each year ending the 31st day of December, or an abstract thereof, in such form as the said Board shall prescribe, shall be submitted for audit on or before the 1st day of March following, to an Auditor of the Local Government Board, or to such other competent authority as the said Board shall direct. The Governors shall keep an account with such bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash) shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorised.

Appointment of Inspector by Lord Lieutenant.

27. If and whenever the Lord Lieutenant shall appoint an Inspector of the school, in pursuance of the Educational Endowments (Ireland) Act, 1885, section 17, such Inspector shall inspect the same once at the least in each year, and so much of the said Act as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors of the school in such manner as the Lord Lieutenant may direct.

Powers of Governors.

28. Subject to the provisions of this Scheme the Governors may, if and when the same shall become necessary, prescribe and regulate the course of instruction to be given to the pupils, and the terms and

vacations, and shall exercise general supervision and control over the school. Subject as aforesaid, they may appoint from time to time upon such terms as they shall think fit, and at such salaries as they may deem sufficient, such officers and servants as they shall from time to time deem advisable; every officer and servant in the employment of the Governors shall be removable by the Governors for adequate cause, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice, subject, however, to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Act. Provided always that no person holding any paid office or employment under the Governors, or entitled to any salary or emolument out of the endowment, shall be capable of becoming or shall continue to be a Governor.

Payment of Expenses.

29. The Governors shall, subject to the other provisions of this Scheme, pay out of the income of the endowment hereby vested in them, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors or out of the endowment, for the ordinary expenses of this Scheme, or of audit or inspection, or otherwise.

Provision for Vested Interests.

30. Every individual who at the date of the passing of the Act held, and at the date of this Scheme shall continue to hold, any office, place, employment, pension, compensation, allowance, or emolument under or arising out of the endowment hereby transferred to and vested in the Governors, shall continue to hold and be entitled to receive the same from the Governors, upon the same terms and in the same manner in every respect as he or she held and was entitled to receive the same at the date of the passing of the Act, and every such individual shall remain bound to perform the same and all like duties for the Governors, so long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this Scheme had not passed; and his or her employment may be determined by the Governors at any time after the date of this Scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, by or on which such existing employers might have determined such employment if this Scheme had not passed.

Discharge of existing Trustees.

31. Immediately after the date of this Scheme the existing Trustees and Governors of the Methodist Female Orphan School shall proceed to pay and discharge out of the moneys in their hands all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board. Upon such audit the net cash balances remaining in the hands of the said Trustees or of their treasurer or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said Trustees or Governors, shall be forthwith transferred and paid to the Governors hereby constituted, so to be by them held and applied for the purposes of this Scheme, and accounted for accordingly. The said existing Trustees or Governors shall, at the same time, deliver to the Governors hereby constituted all books, documents, and other chattels and effects belonging to or held by them as such Trustees or Governors, and thereupon the said existing Trustees or Governors shall be discharged. All debts and other sums then owing, or payable to or recoverable by the said existing Trustees or Governors respectively, shall there-

upon and thenceforth accrue and become payable to or recoverable by the Governors hereby constituted, and all sums then payable by and recoverable from the existing Trustees or Governors respectively shall be thereupon and thenceforth payable by and recoverable from the Governors hereby constituted.

Scheme to be Printed and Sold.

31. The Governors shall cause this Scheme to be printed, or shall procure printed copies thereof, and shall keep the same for sale at a reasonable price.

Alteration of Scheme.

32. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland in any manner whatsoever upon the application of the Governors or of the Conference, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

SCHEDULE REFERRED TO IN THE FOREGOING SCHEME.

Part I. School House and Premises.

All that plot of ground, situate on the north side of Harrington-street, in the parish of St. Peter, and City of Dublin, containing in breadth in front to Harrington-street 34 feet, in breadth in the rear 34

feet, and in depth from front to rear on the east side adjoining Synges-street 170 feet 6 inches, and on the west 170 feet, with the house No. 26, Harrington-street erected thereon, as held under an indenture, dated 27th August, 1832, expressed to be made between John Farrin and William Nolan of the first part, Henry Hodgson of the second part, and David Charles Le Touche, Samuel Parker, John Ouseley Russell, and James Booth of the third part, subject to the yearly rent of £7 4s. 0d., and now vested in the said James Booth as sole surviving grantee, to hold the same to the said James Booth, his heirs and assigns, for ever, as in the said indenture provided.

Part II. Securities held in trust for the Methodist Female Orphan School.

1. £2,383 15s. 1d. India 4 per cent. stock, standing in the books of the Governor and Company of the Bank of Ireland in the names of James Hutchinson Swanton, John Lambert Jones, and James Booth.

2. £487 5s. 4d. Erie stock, standing in the same books in the names of George Sykes and James Booth, survivors in joint account of the trustees named in Deed of Trust, dated 27th February, 1867.

Draft Scheme prepared and published by the Commissioners in pursuance of the Act, sec. 21.

WM. EDWARD ELLIS, Secretary.

31st August, 1886.

THE RAHENY AND COOLUCK PAROCHIAL SCHOOL.

NOTICE.—This draft Scheme, first published on the Twenty-first day of August, 1886, has been prepared in pursuance of the Educational Endowments (Ireland) Act, 1885. During two months after the first publication the Commissioners will receive any objections to the Scheme which may be made to them in writing by any public body or persons interested respecting it, and any amendments proposed thereon; and will afterwards proceed to consider such objections and amendments as by the said Act directed. All such objections and amendments should be forwarded to "The Secretary, Educational Endowments (Ireland) Commission, 33, Nassau-street, Dublin."

No. 5.

County of DUBLIN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

DRAFT SCHEME, under the Educational Endowments (Ireland) Act, 1885, for the future government and management of the Educational Endowments belonging to the Schools known as "THE PAROCHIAL SCHOOL OF RAHENY," and "THE PAROCHIAL SCHOOL OF COOLUCK," both in the County of Dublin.

Whereas Samuel Dick, by his will dated the 5th day of December, 1800, devised to certain trustees certain houses then lately built by him in the Town of Raheny, in the County of Dublin, and called the Crescent, upon trust to apply the profits arising therefrom to pay a schoolmaster for superintending the Charity School then lately established in the said town, and directed that any redundancy should be applied towards clothing the children of such parents as were most in want of it in the Parish of Raheny;

And whereas the charity school mentioned in the said will was a school erected upon gift land, and connected with the church of the said parish, but the same has ceased to be in operation, and the site and buildings formerly occupied thereby are no longer available for educational purposes;

And whereas the said houses afterwards became disjoined, and by deed of mortgage dated the 20th day of March, 1879, the then trustee thereof, in consideration of a sum of £575 expended by the Right Honourable Arthur Edward Lord Ardilaun in repaying and improving the same, conveyed all his estate as such trustee therein to the said Lord Ardilaun as a security for the repayment of the sum so expended; and Lord Ardilaun thereupon entered into and has since remained in possession and receipt of the profits of the said houses towards such repay-

ment, and there still remains due to him, upon foot of his said expenditure, a sum of £125 or thereabouts;

And whereas by deed of grant dated the 26th day of December, 1830, reciting that in the year 1829 the Earl of Howth gave to the then rector of the parish of Raheny the plot of ground thereafter described for the purpose of erecting a schoolhouse for the poor children of the neighbourhood, but that no deed of grant had been executed, the Earl of Howth conveyed to John Barlow, Benjamin Lee Guinness, and Samuel Law, a plot of ground, being part of the lands of Raheny, containing twenty-two perches or thereabouts, with the buildings thereon, to be held by the said grantees their heirs and assigns for ever, as a site for a schoolhouse, and as a schoolhouse, respectively, for imparting to such children as might attend thereat a sound Scriptural education; and the said premises are now vested in the said Samuel Law and Lord Ardilaun, upon the trusts declared by the said deed;

And whereas a new schoolhouse has been recently built upon the said plot of ground by money voluntarily contributed by the Protestant parishioners of the said parish of Raheny, and a school for the education of the poor children of the said parish is now in operation therein, and known as "The Raheny School."

APPENDIX C.

And whereas Sir Compton Donville, Baronet, by deed dated the 30th day of September, 1819, granted to the persons therein named a plot of ground at Coolock, in the county of Dublin, as a site for a schoolhouse, and a schoolhouse was afterwards erected and a school established thereon, known as "The Coolock Parochial School."

And whereas Arthur Guinness, late of Bowmont, in the county of Dublin, bequeathed a sum of £500 to certain trustees, of whom the rector of the parish of Coolock, in the county of Dublin, for the time being is now the sole remaining trustee, upon trust to apply one moiety of the annual produce thereof, towards the support of the Coolock Parochial School, and the other moiety thereof for the use of the poor of the same parish, and the said bequest is now represented by the sum of £540 10s. 10d., Government New 3 per cent. Stock hereinafter mentioned:

And whereas the Coolock Parochial School is not now in operation, and the school premises are at present unoccupied, and a large proportion of the Protestant children of the said parish attend the Raheny school:

And whereas all the estates and property now vested in or held by the trustees of each of the heretofore recited instruments, upon trust for or used or available for the purposes of the said schools, now constitute Educational Endowments within the meaning of "The Educational Endowments (Ireland) Act, 1885," and the said Act applies to the same:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said endowments, the same should be amalgamated, and the government and management thereof should be altered in manner hereinafter provided, and that provision should also be made for effecting the charitable trusts of the will of the said Arthur Guinness respecting the moiety of his said bequest held for the use of the poor of the parish of Coolock:

Therefore, from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said educational endowments shall be amalgamated, and all the said endowments shall thenceforth be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, Letters Patent, Statute, Charter, Deed, Instrument, Trust, or Direction relating to the subject-matter of this Scheme, to the contrary notwithstanding.

Preliminary.—Interpretation of Terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

The "Act" shall mean "The Educational Endowments (Ireland) Act, 1885."

"The Governors" shall mean the Governing Body of the Raheny and Coolock Parochial School, hereby incorporated.

"The Raheny School" shall mean and include the School heretofore existing at Raheny, and known by that name, with the site, buildings, curtilage, and appurtenances thereof, and all land held or occupied therewith, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein, held, possessed, or enjoyed by any person or persons upon the trusts or used for the purposes declared by the said Deed of Grant of 20th December, 1850, or otherwise, concerning the same school.

"The Raheny School Endowment" shall mean and include all the lands, hereditaments, money, securities, chattels, and effects, and all other the property, real and personal, at the date of this Scheme held or possessed by the trustees of the will of Samuel Dick, or by

any other person or persons, upon or for the trusts or purposes of the Raheny School, or of "The Charity School" formerly existing in the Parish of Raheny.

"The Coolock School Endowment" shall mean and include the site, buildings, curtilage, and appurtenances of the Coolock Parochial School, and all other the premises comprised in the above-recited deed of the 20th day of September, 1810, and all the moneys and securities held by the trustees of the will of Arthur Guinness, and all other property, real and personal, held or possessed by any other person or persons, upon trust for, or at the date of this Scheme available for the purposes of the Coolock Parochial School.

"The General Synod" shall mean the body known as "The General Synod of the Church of Ireland," or other the supreme legislative authority for the time being of the said Church, and shall include any authority duly empowered to represent or act for the General Synod in that behalf.

"Elementary Education" shall mean such education as may be given in the National schools which are aided by grants from the Commissioners of National Education in Ireland.

Incorporation of Governing Body.

2. From and after the date of this Scheme, a Governing Body shall be formed for the government and management of Raheny and Coolock School, in manner following:—It shall consist of the following *ex-officio* Governors; namely, the Incumbent of the parish of Raheny, in the county of Dublin, and the Incumbent of the parish of Coolock, in the county of Dublin, for the time being, together with five representative Governors to be appointed as hereinafter provided. There shall be three representative Governors elected by the parish of Raheny, and two representative Governors elected by the parish of Coolock. The first representative Governors shall be the following:—

(1.) Representing Raheny Parish:—

Lord Ardilham,
John Maunsell, Esq.
Robert Smith Chatterton, Esq.

(2.) Representing Coolock Parish:—

Samuel Law, Esq.
James Gadsden Colvill, Esq.

The said Governors shall constitute a Body Corporate by the name of "The Governors of Raheny and Coolock School," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

Election of Governors.

3. The first representative Governors shall hold office until the appointment of their successors in manner following:—At the meeting of the Easter Vestry of each of the said parishes respectively which shall be held next after the date of this Scheme, and at the same and every succeeding Easter Vestry the duly qualified vestrymen of Raheny parish shall elect from among themselves three Governors to represent Raheny parish, and the duly qualified vestrymen of Coolock parish shall elect from among themselves two Governors to represent Coolock parish. Each Governor so elected shall hold office until the election of his successor in manner aforesaid. Every outgoing Governor, if otherwise qualified as herein provided, shall be eligible for re-election.

Vesting and Transfer of Endowment.

4. From and after the date of this Scheme, the Raheny School, and the Raheny School Endowment and the Coolock School Endowment, and all the estate and interest in the said endowments respectively heretofore held upon trust for the heretofore mentioned

schools, shall without any new conveyance or instrument, be transferred to and vested in the Governors hereby constituted and be thenceforth held by them and their successors for ever upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained, but subject to all such rents, charges, rights, easements, and liabilities as at the date of this Scheme may lawfully affect the same. The Governors may at any time redeem and take a reconveyance of the premises comprised in the heretofore recited Deed of Mortgage on payment, release, or satisfaction of the sum due thereon.

Transfer of Stock.

4. From and after the date of this Scheme, the Governor and Company of the Bank of Ireland shall, without further order, transfer to "The Governors of Raheny and Coolock School" the sum of £200 6s. 8d. Government New 3 per cent. Stock, being one moiety of the sum of £400 10s. 16d. like Stock, heretofore standing in the names of the Rector of the Parish of Coolock for the time being and Benjamin G. Darley (now deceased), and all other properties, securities, goods, chattels, and moneys then held by any person or persons for, or payable to, or for the purposes of Raheny School or Coolock School or the trustees thereof respectively, shall thereupon be delivered, transferred, and paid by the person or persons possessed thereof or bound to pay the same to the Governors hereby constituted, and the receipt of any three Governors for any transfer, delivery, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Putting of Stock upon Charitable Trusts for Poor.

5. From and after the date of this Scheme, the sum of £300 5s. 6d., Government New 3 per cent. Stock, being the remaining moiety of the said sum of £400 10s. 16d., like stock, heretofore standing in the books of the Governor and Company of the Bank of Ireland, in the names of the Rector of the Parish of Coolock, for the time being, and Benjamin G. Darley (now deceased), shall be transferred into the name of "The Incumbent of the Parish of Coolock for the time being," and the dividends thereon may and shall thenceforth be received by such Incumbent, and applied by him for the same charitable purposes for the benefit of the poor of the said parish for which the same has heretofore been applicable under the heretofore recited will of Arthur Guinness.

Alteration of Governing Body.

7. At any time and from time to time after the date of this Scheme, the General Synod may alter the constitution of the Governing Body hereby constituted in such manner as the General Synod shall deem expedient, and may provide for the election, co-opting, or appointment of the Governors, other than ex-officio Governors, and may declare and define the office or offices which shall qualify any ex-officio Governor or Governors; provided that the number of Governors, other than ex-officio Governors, shall not be less than five.

Trusts of Endowments—Purpose of Scheme.

8. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all the property of or belonging to the Governors, or available for the purposes of this Scheme, shall be held, used, and applied by them upon and for the following trusts and purposes:—

To maintain in the buildings heretofore occupied by and known as the Raheny School, a Day School for the Elementary Education of the poor Protestant children of the parishes of Raheny and Coolock, to be called "The Raheny and Coolock School," in the

manner and subject to the conditions and provisions herein prescribed.

If the Governors shall at any time be satisfied that separate day schools can be efficiently maintained in the Parishes of Raheny and Coolock respectively, the Governors may, if and so long as they shall so think fit, employ the premises heretofore occupied by the Coolock Parochial School for, and may apply the income of the Coolock School Endowment to the maintenance of a separate day school in the Parish of Coolock. If, and whenever, and so far as the said premises shall not be required for the aforesaid purposes, the Governors may permit the same to be used for such other charitable or local purposes as they may approve, upon such terms as they may think fit, or they may sell, let, or otherwise dispose of their estate and interest therein to the best advantage, so that all or any money charged or received for the same shall be applied for the purposes of this Scheme, and accounted for by the Governors accordingly. If and whenever a separate Day School shall be established by the Governors in the Parish of Coolock, the same shall be maintained in the same manner as is hereby provided with respect to the Raheny and Coolock School, and the provisions of this Scheme shall thenceforth apply thereto as nearly as may be as if the same were part of the Raheny and Coolock School.

Additional Endowments.

9. The Governors may receive and hold donations, subscriptions, and other additional endowments, real or personal, and apply the same for the purposes of this Scheme. They may also receive and hold donations, subscriptions, and other endowments real or personal, and apply the same for any object connected with the School, or with the purposes of this Scheme, which shall not be inconsistent with or calculated to impede the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts to be kept by the Governors under this Scheme.

Application of Endowment.

10. All moneys received by the Governors under or for the purposes of this Scheme shall (subject to the other provisions of this Scheme, and to any special trusts or conditions upon which any part thereof may be received) be expended and applied by them for the following purposes:—

(a.) To maintain the School, furniture, appliances, and premises, in good order and condition, and to make such additions thereto, and improvements therein, as may be required from time to time.

(b.) To pay all rents, taxes, charges, cost of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and to defray the necessary working expenses of the School, and the cost of management.

(c.) To maintain an efficient Teaching Staff for the School; for this purpose the Governors may employ and pay such Teachers as they may deem it expedient to engage for the instruction of the pupils, including Teachers qualified to give instruction in drawing, handicraft, bookbinding, and such other special subjects of intermediate, technical, commercial, or industrial Education as they shall deem suitable or useful for any sufficient number of pupils, or may supplement the salaries or emoluments of any teachers or monitors who may be entitled to salary or emoluments from the Commissioners of National Education, or from any other source.

(d.) If the funds at the disposal of the Governors shall suffice, they may provide prizes for the most deserving pupils, and provide clothing for such of the pupils attending the School as shall require such assistance.

11. The Governors shall provide Scriptural education for all Protestant children attending the said School, provided however that if the Governors shall at any time place the school in connection with the Commissioners of National Education, the Rules and Regulations of the said Commissioners shall thenceforth apply to and be observed in the school, and provided also that no child attending the school shall at any time be compelled or permitted to receive or to be present at any religious instruction to which his or her parents or guardians object, and that the times for and mode of giving religious instruction shall be so fixed that no child shall be thereby in effect excluded, directly or indirectly, from any of the other advantages afforded by the school.

School Fees.

12. The Governors may from time to time authorize the charge of each school fee as they may think reasonable, provided that all children of poor inhabitants of the Parishes of Raheny and Coolock shall be entitled, so far as the endowment will admit, to receive elementary education in the School at reduced fee or free of charge, if the Governors be satisfied that they are unable to pay the ordinary fee.

General Provisions as to Governing Body—Chairman, Quorum, and Secretary.

13. The Incumbent of Raheny shall be the Chairman, and the Incumbent of Coolock shall be the Vice-Chairman of the Governors. The Chairman, or in his absence the Vice-Chairman, shall preside at the meetings, and in the absence of both the majority of the Governors present at each meeting shall elect a Chairman who shall preside thereafter. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman of the meeting shall have a second or casting vote. The Governors may appoint any one of their own number to act as Honorary Secretary.

Meetings of Governors.

14. Within one calendar month after the date of this Scheme, and twice at the least in every year thereafter, the Governors shall meet at the School, and they may also meet at such other times and places as they may from time to time appoint; they shall also make provision that one or more of the Governors shall visit the School once at least in each month (except during vacation). Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before such meeting. The Chairman, or Vice-Chairman, or any three other Governors, may at any time summon a special meeting, giving notice to each Governor six clear days at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the Governors present may appoint.

Minutes, Books, and Documents.

15. Every Governor, not being an ex-officio Governor, shall at or before the first meeting which he attends, sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting, and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committees.

16. The Governors may, from time to time, appoint a Committee or Committees consisting of any two or more of their number to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this Scheme, or to manage each of the business of the school as the Governors may deem it expedient to delegate to such Committee or Committees. The Governors may fix the quorum, define the duties, and regulate the proceedings of every such Committee as they may think fit.

General Provisions.

17. Whenever any vacancy shall occur among the Governors, not being an ex-officio Governor, by death, resignation, or otherwise, the remaining Governors shall co-opt a duly qualified Governor to fill such vacancy, and every Governor so co-opted shall hold office so long only as the Governor in whose place he shall be elected might have held the same.

By-Laws and Regulations.

18. The Governors may, from time to time, make such by-laws and regulations as they shall consider convenient and needful for the good government and management of the School, and for effectuating the purposes of this Scheme; provided that no such by-law or regulation shall be inconsistent with the provisions of this Scheme, and that the same may be repealed, altered, or amended by the Governors as they may from time to time think fit.

Accounts and Audit.

19. The Governors shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as shall be from time to time presented by the Local Government Board, and the accounts for each year ending the 31st day of December or such other day as the said Board shall appoint, or an abstract thereof, in such form as the said Board shall prescribe, shall be submitted for audit on or before the 1st day of March following, or such other day as the said Board shall appoint, to an Auditor of the Local Government Board, or to such other competent authority as the said Board shall direct. The Governors shall keep an account with such Bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorized.

Management of School—Connection with National Board, and Inspection.

20. If and whenever the Governors, shall so think fit, the School may be placed in connection with and under the inspection of the Commissioners of National Education, and the same shall thenceforth be governed and managed in accordance with the Rules and Regulations of the said Commissioners, which notwithstanding anything herein contained shall thenceforth apply to and be observed in the School, and thereupon, if the Lord Lieutenant shall not appoint an Inspector thereof in pursuance of the Act, section 17, such Inspector from time to time appointed by the said Commissioners to inspect the said schools in accordance with such Rules and Regulations, shall be deemed to be the Inspector appointed by the Lord Lieutenant under the said Act, and the reports of such such Inspector shall be presented by the Governors to the Lord Lieutenant, but such Inspector shall not be entitled as such to any remuneration in addition to the remuneration which he may be entitled to receive from the said Commissioners. If and whenever the Lord Lieutenant shall appoint an Inspector of the School in pursuance of the Act, section 17, such In-

pector shall inspect the same once at the least in each year, and so much oftener as the Lord Lieutenant may direct, and the remuneration of such Inspector whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors as the Lord Lieutenant may direct.

Power of Governors.

21. Subject to the provisions of this Scheme, the Governors may prescribe and regulate the course of instruction, and shall have and exercise general supervision and control over the School; they may appoint from time to time, upon such terms as they shall think fit, and at such salaries as they may deem sufficient, such teachers and other officers as they shall from time to time deem it necessary to employ. Subject to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Act, every teacher, officer, and other person in the employment of the Governors, shall be removable by the Governors for adequate cause, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice. No Governor shall be appointed to any paid office or employment under the Governors, and no person entitled to any salary or emolument out of the endowment, shall be capable of becoming, or shall continue to be a Governor.

Management of Property.—Estates.

22. The Governors may, from time to time, make such arrangements as they may deem expedient for the custody of all deeds and documents belonging to the endowment, and for the management of the property vested in them. Every agent appointed to collect the rents of the endowment shall be required to account with the Governors once at least in each half-year, and in such account to include all rents and other income due or payable up to the date next preceding the date of furnishing the account to the Governors.

Sale, Exchange, and Fines.

23. The Governors may let, from time to time, and with the consent of the Commissioners of Charitable Donations and Bequests, may sell, exchange, mortgage, or otherwise dispose of, all or any part of the lands and buildings belonging to the Endowment, so that every such dealing shall be carried out to the best advantage, and that all money obtained thereon, other than current rents, shall be treated as part of the capital of the endowment, and invested or otherwise disposed of in accordance with the provisions hereof.

Investment.

24. The Governors may, from time to time, sell any of the funds or securities vested in them, and invest the moneys arising therefrom, or other the capital of the endowment, and also any surplus or residue of income not required for the purposes of the School, in any of the public stocks, funds or securities of the United Kingdom, or of any colony or dependency thereof, or in the stock of the Bank of England or of Ireland, or upon freehold or leasehold securities in the United Kingdom, or with the approval of the Commissioners of Charitable Donations and Bequests, upon any of the preference shares or stocks, or the debentures or mortgages, of any company or corporation, whether municipal, commercial, or otherwise, carrying on business or constituted for any purpose in the United Kingdom, or any colony or dependency thereof, which during the three years then last past shall have paid upon all its ordinary stock or shares a dividend in each year of not less than £3 per centum, and the Governors may from time to time vary such investments.

Payment of Expenses.

25. The Governors shall, subject to the other provisions of this scheme, pay out of the income of the endowment, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors or out of the endowment, for the costs and expenses of this scheme, or of audit or inspection, or otherwise.

Provision for Vested Interests.

26. Every individual who at the date of the passing of the Act held, and at the date of this scheme shall continue to hold, any office, place, employment, pension, compensation, allowance, or emolument under or arising out of the endowments hereby transferred to and vested in the Governors, shall continue to hold and be entitled to receive the same from the Governors, upon the same terms and in the same manner in every respect as he or she held and was entitled to receive the same at the date of the passing of the Act, and every such individual shall remain bound to perform the same and all like duties for the Governors, so long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this scheme had not passed and his or her employment may be determined by the Governors at any time after the date of this scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, by or on which such existing employers might have determined such employment if this scheme had not passed.

Discharge of existing Trustees.

27. Immediately after the date of this scheme the existing Trustees of the Raheny School, and of the O'Connell School Endowment respectively, shall proceed to pay and discharge out of the moneys in their hands all the salaries, outgoings, and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or to such other competent authority as the said Board shall direct. Upon such audit the net cash balances remaining in the hands of the said Trustees, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said Trustees, shall be forthwith transferred or paid to the Governors, to be by them held and applied for the purposes of this Scheme, and accounted for accordingly. The said existing Trustees shall, at the same time, deliver to the Governors all books, documents, and other chattels and effects belonging to or held by them as such Trustees, and thereupon the said Trustees shall be discharged. All debts and other sums accruing or payable to or recoverable by the said Trustees respectively, shall thereupon and thenceforth cease and become payable to or recoverable by the Governors, and all sums then payable by and recoverable from the said Trustees respectively shall be thereupon and thenceforth payable by and recoverable from the Governors.

Alteration of Scheme.

28. This Scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland in any matter whatsoever upon the application of the Governors or upon the application of the General Synod, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

Draft Scheme prepared and published by the Commissioners in pursuance of the Act, sec. 21.

WM. EDWARD KELLS, Secretary.

21st August, 1886.

APPENDIX D.

DRAFT SCHEMES SUBMITTED TO LORD LIEUTENANT.

SWORDS BOROUGH SCHOOL.

This Scheme has been framed in pursuance of the Educational Endowments (Ireland) Act, 1885, and submitted for the approval of the Lord Lieutenant in Council on the Thirtieth day of September, 1896.

No. 1.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

County of DUBLIN.

SCHEME framed under the Educational Endowments (Ireland) Act, 1885, for the future Government and Management of the Educational Endowment in the County of Dublin, hitherto held and administered by "THE GOVERNORS OF THE SCHOOL AT SWORDS," under Royal Charter dated 18th February, 1804.

Whereas by Royal Charter dated 18th February, 1804, the Lord High Chancellor of Ireland, the Lord Archbishop of Dublin, the Dean of Christ's Church, Dublin, the Provost of Trinity College, Dublin, the Dean of St. Patrick's, Dublin, and the Vicar of Swords, in the County of Dublin, for the time being, and their respective successors, were constituted into one Body Corporate by the name of "The Governors of the School at Swords," and certain sums of money were vested in the said Governors in trust to be funded in Government Securities, and certain other sums were vested in them to be applied in providing school-houses and other necessary accommodation, for the purpose of establishing and maintaining one or more schools within the Borough of Swords, and for the other purposes in the said Charter mentioned:

And whereas the said Governors afterwards acquired and are now possessed of certain land and buildings, and certain Government Securities, moneys, and other property are now vested in them, and the same now constitute an Educational Endowment within the meaning of "The Educational Endowments (Ireland) Act, 1885," to the whole of which Endowment the said Act applies:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that, in order to extend the usefulness of the said endowment, the government and management thereof should be altered, in manner hereinafter provided:

Therefore, from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said Endowment shall be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust or direction relating to the subject-matter of this Scheme to the contrary notwithstanding.

Preliminary.—Interpretation of terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Borough of Swords" shall mean and include an area extending two statute miles in every direction from the Round Tower of Swords, in the County of Dublin; such distance to be measured as shown upon the maps of the Ordnance Survey of Ireland, and any house of which any part shall be within the said area shall be deemed to be wholly within the said Borough.

"The Old Borough School" shall mean and include the Male, Female, and Infant Schools heretofore existing at Swords and known as the Borough School, with the site, buildings, curtilages and appurtenances thereof, and the furniture, appliances and other chattels thereto belonging, and all the estate and interest of "The Governors of the School at Swords"

therein, now held, possessed, or enjoyed by the said Governors in trust for the same schools, or used for the purposes thereof.

"The New Borough School" shall mean and include the Schools heretofore existing at Swords and known as the "Swords National Schools," with the site, buildings, curtilages, and appurtenances thereof, and the furniture, appliances and other chattels thereto belonging, and all the estate and interest therein, now held, possessed, or enjoyed by the patron or manager of the said schools, in trust for the same schools, or used for the purposes thereof.

"The Act" shall mean the "Educational Endowments (Ireland) Act, 1885."

"Elementary Education" shall mean such education as may be given in the National Schools which are aided by grants from the Commissioners of National Education in Ireland.

Incorporation of Governing Body of Old Borough School.

2. From and after the date of this scheme a Governing Body shall be formed for the Old Borough School in manner following:—It shall consist of six persons, of whom two shall be ex-officio Governors—namely, the Protestant Archbishop of Dublin and the Protestant Vicar or Incumbent of the parish of Swords for the time being, and the remaining four shall be representative Governors. The first representative Governors shall be the Rev. Frederick Tyrone of Baskinhill, Cloughran, Henry Baker of Balbury, James P. Stewart of Menden, Swords, and John Haly Hutcheson of Seaford, Donalton, all in the County of Dublin. The first representative Governors shall hold office until the first election to be held as hereinafter provided. At the meeting of the Easter Vestry of the said parish which shall be held next after the date of this Scheme, and at every succeeding Easter Vestry, the duly qualified Protestant Vestrymen of the said parish may annually elect four of their own number to be Governors of the Old Borough School, and the Governors so elected shall hold office until the next election. Whenever any vacancy shall occur among the representative Governors by death, resignation, or otherwise, the remaining representative Governors shall co-opt a duly qualified Governor to fill such vacancy, and every Governor so co-opted shall hold office so long only as the Governor in whose place he shall have been co-opted might have held the same.

The said Governors shall constitute a Body Corporate by the name of "The Governors of the Old Borough School of Swords," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme, and from and after the date of this Scheme the Old Borough School shall, without any new conveyance or instrument to be transferred to and vested in "The Governors of the Old Borough School of Swords," and be thenceforth held by them and their successors or assigns for

ever, upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained.

Incorporation of Governing Body of New Borough School.

5. From and after the date of this Scheme a Governing Body shall be formed for the New Borough School in manner following:—It shall consist of six persons, of whom two shall be *ex-officio* Governors—namely, the Roman Catholic Archbishop of Dublin and the Roman Catholic Parish Priest of Swords for the time being, and the remaining four shall be co-opted Governors. The first co-opted Governors shall be Lieutenant-Colonel J. P. Foster of Swords House, R. Russell Cooke of Drynam, John Leander of Swords, and William Borden of Swords, all in the County of Dublin. Whenever any vacancy shall occur among the co-opted Governors, by death, resignation, or otherwise, the remaining co-opted Governors shall co-opt a Governor to fill such vacancy from amongst the Roman Catholic residents in the Borough of Swords, or Justices of the Peace for the County of Dublin, or Guardians of the Poor for the Union wherein the Borough may be situate; provided that if the number of co-opted Governors shall at any time be less than three the *ex-officio* Governors may take part with the remaining co-opted Governor or Governors in co-opting duly qualified Governors to fill the vacancies; provided also that any Administrator duly appointed to act for the Parish Priest during his incapacity or during any vacancy in the office, shall have all the rights and powers of the Parish Priest, and may act in his place, as a Governor under this Scheme.

The said Governors shall constitute a Body Corporate by the name of "The Governors of the New Borough School of Swords," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme, and from and after the date of this Scheme the New Borough School shall, without any new conveyance or instrument, be transferred to and vested in "The Governors of the New Borough School of Swords," and be thenceforth held by them and their successors or assigns for ever, upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained.

General Provisions as to Governing Bodies—Vacancies in the Office of Governor.

4. Every Governor, not being an *ex-officio* Governor, of either school, who shall resign by writing under his hand, or shall become bankrupt, or shall become incapable of acting, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy with the cause thereof shall be recorded on the Minutes of the Governors, and shall be filled as hereinafter provided as soon as conveniently may be after it shall have occurred.

Chairman, Quorum, and Secretary.

5. The Archbishop, or in his absence the Vicar or Incumbent, or the Parish Priest or Administrator, as the case may be, shall be Chairman, and shall preside at every Meeting of the Governors; and in the absence of the above-named Governors, the majority of the Governors present at each Meeting shall elect a Chairman who shall preside thereat. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman shall have a second or casting vote. The Governors of each school shall appoint one of their number to act as Secretary.

Meetings of Governors.

6. Within one calendar month after the date of this Scheme, and twice at the least in every year there-

after, the Governors shall meet at their respective schools, and they may also meet at such other times and places as they may from time to time appoint. Notice of every meeting shall be given to each Governor not two clear days at the least, or such other time as the Governors may direct, before such meeting. The Archbishop, or the Vicar or Incumbent, or the Parish Priest or Administrator, as the case may be, or any three or more other Governors may, at any time, summon a special meeting of the Governors, giving notice to each Governor two clear days at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time or place as the Governors present may appoint.

Minutes, Books, and Documents.

7. Every Governor, not being an *ex-officio* Governor, shall at or before the first meeting which he attends sign a declaration, in a book to be kept for that purpose, of his acceptance of the office of Governor of the Old Borough School of Swords, or of the New Borough School of Swords, as the case may be, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committees.

8. The Governors of each School may, from time to time, appoint any two or more of their number to be a Committee to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this Scheme. The Governors may fix the quorum, define the duties, and regulate the proceedings of every such Committee as they may think fit.

By-Laws.

9. The Governors of each School may, from time to time, make such by-laws and regulations as they shall consider convenient and useful for the good government and management of their school, and for effectuating the purposes of this Scheme, provided that no such by-law or regulation shall be inconsistent with the provisions of this Scheme, or with the Rules and Regulations of the Commissioners of National Education for the time being applicable to the schools, and that the same may be repealed, altered, and amended by the Governors, from time to time, as they shall deem expedient.

Accounts.

10. The Governors of each school shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as may be from time to time prescribed by the Local Government Board, and the accounts for each year ending the 31st day of December, or such other day as the Board may direct, or an abstract thereof in such form as the Board shall prescribe, shall be submitted for audit on or before the 1st day of March following, or such other day as the Board may direct, to an Auditor of the Local Government Board, or to such other competent authority as the Board shall appoint. The Governors of each school shall keep an account with each bank as they may from time to time select, and all moneys receivable or payable by them, (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorised.

Additional Endowments and Investments.

11. The Governors of each school may receive and hold additional property, real and personal, donations,

Apprentice D. bequests, subscriptions, and other endowments, and may apply the same for the purposes of this Scheme. They may also receive and hold such property, donations, bequests, subscriptions, and endowments, for any objects connected with their respective schools or with the purposes of this Scheme, which shall not be inconsistent with or calculated to impede the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts of the Governors receiving or applying the same. The Governors may from time to time invest and accumulate any moneys received by them for the purposes of this Scheme, and any residue of income not expended by them in any year in any of the public stocks, funds or securities of the United Kingdom, or of any Colony or dependency thereof, or with the previous sanction of the Commissioners of Charitable Donations and Bequests, upon any other approved securities, and may from time to time vary such investments, and may in any year have recourse for the purposes of this Scheme to the accumulations of any previous year.

Trusts of School Premises.

12. The Governors of the Old Borough School of Swords and the Governors of the New Borough School of Swords respectively shall stand possessed of the said schools upon trust, in the first instance, to use the same, or such parts thereof as shall be required, as schools for the elementary education of all such children, male and female, as shall resort thereto for such education. Any parts of the same premises not required for such use shall, in the next place, be used, so far as shall be required, for the residence of such teachers employed in the said schools respectively as the Governors shall deem it expedient to provide with residence therein, and for such other school purposes as shall from time to time be approved by the Governors. If, whenever, and so far as the said premises respectively shall not be required for such purposes, the Governors may permit the same to be used for such other charitable or local purposes as they may approve, upon such terms as they may think fit, so that such use shall not interfere with the efficient working of their school, and shall not be contrary to the Rules and Regulations of the Commissioners of National Education for the time being, and so that all or any money which may at any time be charged or received for such use shall be applied for the purposes of the school, and accounted for by the Governors accordingly.

Vesting and Trusts of Funded Endowment.

13. From and after the date of this Scheme, the sum of £34,050, Government New Three Per Cent. Stock, heretofore standing in the name of "The Governors of the School at Swords" (hereinafter called the funded endowment), with the dividend thereon accruing thereon, shall, without any new transfer or instrument, vest in the Commissioners of Charitable Donations and Bequests for Ireland, and the Governor and Company of the Bank of Ireland shall, without further order, transfer the same in their books to the said Commissioners, who shall themselves hold, receive, and apply the same, and the accruing and all future dividends thereon, upon and for the trusts and purposes, and subject to the conditions and provisions herein contained. The said Commissioners shall, so soon as the dividend accruing at the date of this Scheme shall be received by them, pay to the existing "Governors of the School at Swords" an apportioned part of such accruing dividend calculated to the date of this Scheme, and shall apply the residue of such dividend and the subsequent income of the funded endowment in the manner prescribed by this Scheme.

Alternative Provisions as to Building Fund.—Option to transfer Old Borough School.

14. The Governors of the Old Borough School shall, within six months after the date of this Scheme, con-

sider and determine whether it is most for the advantage of their school, upon the terms hereinafter contained (a), that they should retain the existing premises of the Borough School; or (b) that they should convey the same to the Governors of the New Borough School, and remove their school to other premises; or (c), that they should so convey the existing male and female schools, retaining the existing infant school for the purposes of the Old Borough School; and they shall, within the time aforesaid, notify their determination in writing to the Governors of the New Borough School, and to the Commissioners of Charitable Donations and Bequests.

Building Fund for New School.

(a.) If the said Governors shall determine to retain the existing premises of the Borough School, the Commissioners of Charitable Donations and Bequests shall thereupon set apart and thenceforth hold the sum of £2,000 Government stock, portion of the funded endowment, upon trust for the Governors of the New Borough School, and shall pay to the said Governors from time to time, in addition to all other sums payable to them under this Scheme, the then accruing and all future dividends upon all or so much of the said sum of £2,000 Government stock as shall not have been expended as hereinafter provided. The Governors of the New Borough School may, at any time and from time to time after the said sum of £2,000 Government stock shall have been so set apart, with the previous written sanction of the Commissioners of National Education, expend the same, or so much thereof as may be required for that purpose, in acquiring or erecting new or additional buildings or acquiring additional ground for the New Borough School, or enlarging or improving the then existing buildings thereof, or providing suitable residences for the teachers employed therein, or providing new or additional school furniture or appliances. All such expenditure shall be made upon premises within the Borough of Swords permanently vested in the Governors of the New Borough School, and shall be accounted for by them. The Commissioners of Charitable Donations and Bequests, upon the written application of the said Governors, sanctioned in writing by the Commissioners of National Education, shall from time to time, by sale and transfer of so much of the said sum of £2,000 Government stock as shall be required, realise and pay to the said Governors the amount required for such expenditure.

Building Fund for Old School.

(b.) If the Governors of the Old Borough School shall determine to convey the existing premises of the Borough School to the Governors of the New Borough School, and to remove the Old Borough School to other premises, they shall, within one year after the date of this Scheme, execute a deed so conveying the same, and remove the Old Borough School to other premises, and deliver possession of the said existing premises to the Governors of the New Borough School, who shall thenceforth hold the same for the purposes of the New Borough School. The deed of conveyance shall be settled by one of Her Majesty's counsel agreed on by the Governors of both schools, or by Her Majesty's Attorney-General for Ireland, and the taxed costs thereof shall be paid by the Governors of the Old Borough School. Upon the determination aforesaid the Commissioners of Charitable Donations and Bequests shall set apart and thenceforth hold the sum of £2,000 Government Stock, portion of the funded endowment, upon trust for the Governors of the Old Borough School, and shall pay to the said Governors from time to

time, in addition to all other sums payable to them under this Scheme, the then accruing and all future dividends upon all or so much of the said sum of £2,000 Government Stock as shall not have been expended as hereinafter provided. The Governors of the Old Borough School may at any time, and from time to time after the said sum of £2,000 Government Stock shall have been so set apart, with the previous written sanction of the Commissioners of National Education, expend the same, or so much thereof as may be required for that purpose, in acquiring such land and acquiring or erecting such buildings as may be suitable and necessary for the purposes of the Old Borough School, and afterwards from time to time in acquiring or erecting new or additional buildings, or acquiring additional ground for the Old Borough School, or enlarging or improving the then existing buildings thereof, or providing suitable residences for the teachers employed therein, or providing new or additional school furniture or appliances. All such expenditures shall be made upon premises within the borough of Swedes permanently vested in the Governors of the Old Borough School, and shall be accounted for by them. The Commissioners of Charitable Donations and Bequests, upon the written application of the said Governors, sanctioned in writing by the Commissioners of National Education, shall from time to time, by sale and transfer of so much of the said sum of £2,000 Government Stock as shall be required, realise and pay to the said Governors the amount required for such expenditure.

Building Funds on Division of School Premises.

(a.) If the Governors of the Old Borough School shall determine to convey the existing male and female schools hereby vested in them to the Governors of the New Borough School, retaining the existing infant school for the purposes of the Old Borough School, they shall, within the time and in the manner hereinafter prescribed, convey and deliver possession of the premises heretofore used for the purposes of the said existing male and female schools, with the outbuildings thereof, and the yards, garden, and ground adjoining the same, to the Governors of the New Borough School, retaining possession for the purposes of the Old Borough School of the existing infant school hereby vested in them, with the outbuildings thereof, and the yard, garden, and ground adjoining the same. Upon such determination the Commissioners of Charitable Donations and Bequests shall set apart and thenceforth hold and apply for the purposes of the Old Borough School the sum of £1,500 Government Stock, upon the trusts and in the manner hereby (b.) heretofore provided with respect to the sum of £2,000 like stock, and shall at the same time set apart and thenceforth hold and apply for the purposes of the New Borough School the sum of £500 like stock, upon the trusts and in the manner first (a.) heretofore provided with respect to the sum of £2,000 like stock, and upon the determination (c.) last aforesaid all the provisions heretofore contained with respect to the said sum of £2,000 Government Stock, upon the determinations first and secondly above mentioned respectively, shall take effect with respect to the said male and female schools and to the said sum of £500 Government Stock, and to the said infant school and to the said sum of £1,500 like stock, respectively, as if the same were herein repeated as to the same respectively.

Proportionate Division of Income of Funded Endowment.

18. The net income of the residue of the funded endowment after providing for any necessary out-

goings and for all other payments hereby directed, shall be received by the Commissioners of Charitable Donations and Bequests, upon trust for the Governors of the Old Borough School and the Governors of the New Borough School respectively, and shall be by the said Commissioners divided between and paid to the said Governors respectively in the proportions following (which have been fixed with regard to the number of pupils heretofore attending and heretofore likely to attend the respective schools), that is to say:—Two equal thirteenth parts thereof to the Governors of the Old Borough School, and eleven equal thirteenth parts thereof to the Governors of the New Borough School: Provided always (subject to the provision hereinafter contained as to the salaries of the present master and mistress of the Old Borough School) that, in order to secure to each school out of the endowment a sum equivalent to the salaries of two efficient teachers at the least, if and so long as the Governors of the Old Borough School shall continue to employ in their school a male teacher and a female teacher, both qualified as "Classed Teachers" under the Rules and Regulations of the Commissioners of National Education, the sum to be paid to the said Governors out of the net income of the residue of the funded endowment in each half-year shall not be less than the amount of the salaries which such teachers would be entitled to receive under the said Rules and Regulations, according to their actual classification, if each were engaged as principal teacher in a separate National School maintaining an average daily attendance sufficient to entitle the teacher to a first-class salary. The Inspector of the Old Borough School shall, at the request of the Governors thereof, as long as two such teachers shall be employed, certify the half-yearly amount of their salaries calculated as aforesaid, and upon such certificate and the application of the said Governors, the Commissioners of Charitable Donations and Bequests shall in each half-year in which such certificate shall be produced and such application shall be made, pay to the said Governors the amount so certified in lieu of the above-mentioned two equal thirteenth parts of the net income of the residue of the funded endowment for such half-year, and shall pay the remainder of such income to the Governors of the New Borough School. The payments heretofore provided shall be calculated and paid to the Governors of the respective schools, as aforesaid, notwithstanding the payment to or receipt by the teachers employed in the respective schools of salaries or other emoluments from the Commissioners of National Education, school fees, or other sources, and all sums received by the Governors out of the net income of the residue of the funded endowment may be applied by them from time to time to such of the purposes heretofore mentioned as they shall think most expedient.

Trusts of Income payable to Governors—Expenditure of Income.

19. The moneys received by the Governors of each School for the purposes thereof shall be applied by them for the following objects:—

(a.) To maintain the school buildings, furniture, appliances, and premises in good order and condition, to make such additions thereto or improvements therein as may be required from time to time, and to defray the necessary working expenses of the school.

(b.) To maintain an efficient Teaching Staff: for this purpose the Governors may supplement the salaries and emoluments of such teachers and mistresses as may be entitled to salary or emoluments from the Commissioners of National Education or other sources, and may also employ and pay such additional teachers as they may deem it expedient to employ for the instruction of the pupils attending the school, or evening classes connected therewith, including teachers qualified to give instruction in drawing, handicraft, husbandry, and such other special subjects of intermediate, technical, commercial, or industrial educa-

tion as they shall deem suitable or useful for any sufficient number of the pupils, provided that the provision of sufficient elementary education shall not be prejudiced thereby.

(d) To provide prizes for the most deserving pupils; such prizes may be awarded in money or in remission of school fees, or in such other manner as the Governors may deem best calculated to stimulate the industry of the pupils, to improve the attendance at the school, or to reward the diligence or promote the progress of the pupils to whom the same may be awarded. Such prizes may be so given as to enable or encourage deserving and capable pupils to continue their education at the school longer than they could otherwise do.

(e) To advance in life deserving pupils, selected according to merit, whose circumstances are such that they need assistance on leaving school. Such assistance shall be given with due regard to the circumstances and needs of each pupil receiving the same, and may be given as or towards apprenticeship fees, the cost of obtaining special instruction or more advanced education elsewhere, or in such other mode, and subject to such conditions, as the Governors may in each case consider most advantageous. Provided always that no pupil shall be entitled to receive any such assistance or advancement who shall not at the time of leaving the school be between the ages of fifteen and eighteen years, and shall not have been permanently resident within the Borough of Swords and in regular attendance as a pupil at one or other of the schools for three years at the least next before the time of leaving school.

Distribution of fund amongst objects.

17. The accounts to be kept by the Governors of each school shall include a separate account of the amount expended by them in each year upon each of the above mentioned objects. If, taking into account any income available for the same purposes from other sources, the expenditure upon any one or more of the objects aforesaid shall at any time appear to the Commissioners of National Education to be excessive or inefficient, they may, by minute in writing, state to the Governors their grounds of objection, and any changes which they recommend, and upon such minute the Governors shall revise their expenditure, and if after such revision the Commissioners of National Education shall still consider the expenditure to be excessive or inefficient, they may suspend, reduce, or withdraw their pecuniary aid to the school until they shall be satisfied that the endowment is in all respects efficiently expended by the Governors.

Competitive Examinations for Exhibitions.

18. A sum not exceeding £150 may be applied in each year, out of the income of the funded endowment, to provide Exhibitions to be open for competition among the pupils, male and female, of both schools, under the following conditions:—

(a) Each Candidate shall have been resident within the Borough of Swords for three years, at the least, next before the day appointed for the examination, and shall, during each of such three years, have made at least 100 attendances as a pupil at one or other of the schools, and shall not, on each day, exceed the age of sixteen years.

(b) The competition shall be by examination, to be conducted under the directions of the Commissioners of National Education, at a time and in a course to be appointed by the said Commissioners not less than six months previously.

(c) The subjects of examination shall be those of elementary education only, and not below the standard of the Fifth Class, as defined by the Rules and Regulations of the Commissioners of National Education for the time being.

(d) The examination shall be held in the existing Borough School, or in such other convenient place within the Borough of Swords as the Commissioners

of National Education shall from time to time appoint, and shall be conducted by an Examiner or Examiners appointed by them, whose report as to the relative merit of the Candidates shall be final.

(e) The Governors of each School shall, not less than one month before each Examination, furnish to the Commissioners of National Education and to the Governors of the other School a list of all the pupils of their School who intend to present themselves for Examination, with a certificate signed by the Secretary of the Governors or by the Manager of the School, that each Candidate named in the list is duly qualified as hereinbefore provided. If any question shall arise as to the qualification of any Candidate, the same shall be inquired into and determined by the Examiner or Examiners, whose decision shall be final.

(f) No Candidate shall be permitted to compete more than twice, or to obtain more than one Exhibition.

(g) The male and female candidates may be examined separately and in different courses; the pupils of both schools shall be examined together, in the same course, and under the same conditions and regulations.

(h) Not more than six Exhibitions—three for boys and three for girls—shall be awarded in any year; and no Exhibition shall exceed £20. No Exhibition shall be given unless the Examiner or Examiners shall report that the Candidate has shown sufficient merit, and in case of insufficient merit the whole or any part of any Exhibition may be withheld. The amount awarded in each case shall be paid by the Commissioners of Charitable Donations and Bequests, upon the certificate of the Secretary of the Governors or the Manager of the School, accompanied by the report of the Examiner or Examiners, to the Governors of the School to which the successful pupil belongs, and shall be by them applied for or towards his or her advancement in life, in such manner as they, having due regard to the wishes and circumstances of the pupil, shall deem most advantageous.

If the full sum of £150 authorized to be applied for Exhibitions shall not in any year be expended thereon, the residue shall be disposed of by the Commissioners of Charitable Donations and Bequests as part of the income of the funded endowment in accordance with the other provisions of this scheme.

Management of Schools. Schools to remain in connection with National Board.

19. Unless and until the Governors shall otherwise determine, and subject to the provisions herein contained as to the Managers, each of the schools shall continue its connection with, and shall remain subject to the Rules and Regulations and under the inspection of the Commissioners of National Education, and, unless and until the Lord Lieutenant shall appoint an Inspector thereof in pursuance of the Act, section 17, each Inspector from time to time appointed by the said Commissioners to inspect the said schools in accordance with such Rules and Regulations shall be deemed to be the Inspector appointed by the Lord Lieutenant under the said Act, but such Inspector shall not be entitled as such to any remuneration in addition to the remuneration which he may be entitled to receive from the said Commissioners. The reports of each such Inspector shall be presented by the Governors to the Lord Lieutenant. The Visitor or Incumbent of Swords, and the Parish Priest of Swords, or Administrator acting as such, for the time being, shall, subject to the Rules and Regulations of the Commissioners of National Education, be the Managers of the respective schools, and shall and may retain and exercise from time to time, all the rights, powers, and authority, which under the said Rules and Regulations may devolve upon them as such Managers; if either of them shall be unable or unwilling to act, the Governors of the school may appoint a Manager thereof in accordance with the said Rules and Regulations.

Aid from National Board.

20. From and after the date of this scheme each of the said schools, notwithstanding its being entitled to share in the endowment, may receive from the Commissioners of National Education all such aid, by way of teachers' salaries, allowances, results fees, and otherwise, as may be awarded in accordance with the Rules and Regulations of the said Commissioners for the time being to other National schools of the same class, and all money and other aid which the Governors may receive from the said Commissioners shall be applied for the benefit of the said schools in accordance with the said Rules and Regulations, and accounted for by the Governors accordingly.

Appointment of Officers.

21. Subject to the provisions hereinbefore contained as to the Managers, the Governors of each school may appoint from time to time such schoolmasters and mistresses, examiners, teachers, and other officers as they may deem necessary, and at such salaries as they may deem sufficient, and may retain or discontinue, or alter the salary of the present or any future schoolmasters and mistresses, examiners, teachers, and other officers, as the Governors may from time to time deem advisable, subject, however, to the provisions hereinbefore contained as to the vested interests of individuals holding office at the date of the passing of the Act; provided that no Governor shall, at any time, be entitled or permitted to receive any salary or emolument out of the endowment.

Appointment of Inspector by Lord Lieutenant.

22. If and whenever the Lord Lieutenant shall appoint an Inspector of the schools, or of either school, in pursuance of the Act, section 17, such Inspector shall inspect the same, and present his report thereon to the Lord Lieutenant, once at the least in each year, and so much often as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors of each school out of the income of the endowment in such proportion and manner as the Lord Lieutenant may direct. If, at any time, either of the schools shall cease to be in connection with, or to be subject to the Rules and Regulations and under the inspection of the Commissioners of National Education, the Inspector appointed by the Lord Lieutenant shall and may thereupon do all acts, and possess and exercise all powers and authority under this scheme which might have been done, possessed, or exercised by the said Commissioners of National Education, or by any Inspector appointed by them, if such connection had not ceased.

Religious Instruction.

23. The Rules and Regulations of the Commissioners of National Education as to the religious instruction of the pupils shall apply to the schools, and the times for and mode of giving such instruction shall be so fixed that no child shall be thereby in effect excluded, directly or indirectly, from any of the other advantages afforded by the school.

School Fees.

24. The Governors or Managers of each school may from time to time authorize the charge of such school fees as they may think reasonable, provided that all children of poor inhabitants of the Borough of Swords shall be entitled to receive elementary education in the said schools at reduced fees or free of charge, if the Governors and Manager be satisfied that they are unable to pay the ordinary fees.

Provision for Vested Interests pursuant to the Act, no. 11.—Deputy Superintendent.

25. The Rev. W. G. Boyce, Deputy Superintendent of the existing Borough School, if still in

office at the date of this scheme, shall continue to be entitled to his present salary of £80 per annum, so long as he shall continue to reside in the Borough of Swords, and to hold the office of curate assistant of the parish of Swords under the Rev. Thomas Twigg, the present Vicar of Swords, but whenever the said Rev. W. G. Boyce shall cease to reside in the said borough, or shall cease to hold his said office of curate assistant, or whenever the said Rev. Thomas Twigg shall cease to hold his office as Vicar, whichever event shall first happen, the said salary shall cease; provided that so long as the same shall be payable, the said Rev. W. G. Boyce shall be bound to discharge all such duties in and about the Old Borough School, and for the Governors thereof, as before the date of this scheme he was bound to discharge in or about the existing Borough School, or for the Governors thereof, and if and so long as he shall fail or refuse to discharge such duties, the payment of his salary shall be suspended, and the certificate of the Governors that he has so failed or refused shall be conclusive. The said salary shall accrue from day to day, and shall be paid by the Commissioners of Charitable Donations and Bequests, upon the joint certificate of the Secretary of the Governors and of the said Rev. W. G. Boyce that the same is due and payable, to the said Rev. W. G. Boyce out of the income of the funded endowment by equal half-yearly payments, of which the first shall be made at the expiration of six calendar months from the date of this scheme. If the Governors of the Old Borough School of Swords shall, at any time within six calendar months from the date of this scheme but not afterwards, agree with the Rev. W. G. Boyce for the commutation of the said salary for the sum of £320, the Commissioners of Charitable Donations and Bequests shall by sale and transfer of a sufficient amount of the capital of the funded endowment pay to the said Governors and the said Rev. W. G. Boyce, upon their joint and several receipt, the sum of £250, as and for such commutation, and upon such capital sum being paid the said salary shall cease and the said Rev. W. G. Boyce shall be released from the said duties. The said Governors may, in consideration of such agreement, require the said Rev. W. G. Boyce to pay to them such part of the said sum of £250 as may be agreed upon, as compensation for the discontinuance of the duties aforesaid, and all or any portion of the said sum of £250 which may be received by the Governors as such compensation, shall be applied for the purposes of the Old Borough School, and accounted for by them accordingly.

Examiner.

26. Immediately after the date of this Scheme the existing "Governors of the School at Swords" shall pay, out of the moneys then in their hands or out of the first moneys thereafter received by them, to Robert William Griffin, Esq., the sum of £75 as compensation for his vested interest in the office of Examiner of the existing Borough School, which office is hereby abolished.

Medical Officer.

27. Francis J. Davys, Esq., M.D., the Medical Officer of the existing Borough School, shall continue to be entitled to his present salary of £15 per annum, so long as he shall continue to be the medical officer of the dispensary district in which the borough of Swords is situate, but whenever the said Francis J. Davys shall cease to be such medical officer, the said salary shall cease; provided that so long as the same shall be payable, the said Francis J. Davys shall be bound without further fee or reward to give his medical attendance and care, so far as shall be necessary, to the teachers of the Old Borough School and New Borough School, and to the members of their families, and also, upon the written requisition of any Governor thereof respectively, to any pupils of the said schools who may be unable to pay for such attendance, and if and

As long as he shall fail or refuse so to do, the payment of his salary shall be suspended, and the certificate of the Governors of either school that he has so failed or refused shall be conclusive. The said salary shall accrue from day to day, and shall be paid by the Commissioners of Charitable Donations and Bequests, upon the joint certificate of the Secretaries of the Governors and of the said Francis J. Davys that the same is due and payable, to the said Francis J. Davys out of the income of the funded endowment by equal half-yearly payments, of which the first shall be made at the expiration of six calendar months from the date of this scheme.

Teachers.

28. The master and mistress of the existing Borough School who held office as such at the date of the passing of the Act, shall, if still in office at the date of this scheme, continue to hold office under the Governors of the Old Borough School, upon the same terms as to salary, emoluments, duties, and otherwise upon which at the date of the passing of the Act they shall have held the same under the existing Governors. Such employment may be determined by the Governors on demand by the Manager for adequate cause, or by six calendar months' notice from the Manager and payment of the amount of one year's salary as hereinafter provided. The payment of their existing salaries, namely, £80 for the master, and £50 for the mistress, shall be secured as follows:—So long as the said salaries or either of them shall be payable, the Governors may apply for and receive the amount payable on foot thereof from the Commissioners of Charitable Donations and Bequests in lieu of the sum which would be otherwise payable to them as for the salaries or salary of two "Classed Teachers" or of a "Classed" male or female Teacher, as the case may be, under clause 15 of this scheme, and the Commissioners of Charitable Donations and Bequests shall pay the same accordingly, out of the income of the funded endowment, upon the certificate of the Secretary of the Governors that the same is due and payable. Provided always that if, for any cause other than wilful misconduct, the employment of either or both of the said teachers should be determined by the Governors, or either or both of the said teachers should cease to be recognized by the Commissioners of National Education as efficient, the Governors shall so certify to the Commissioners of Charitable Donations and Bequests, who shall thereupon pay out of the income of the funded endowment in addition to all other payments hereby directed, one year's salary to such teacher or teachers, and his or her or their salary or salaries shall thereupon cease.

Suspension and Forfeiture of Endowment.

29. If at any time the Commissioners of National Education shall certify to the Commissioners of Charitable Donations and Bequests that they have ceased to recognize either of the schools as a National school, and if the said Commissioners shall thereupon, after due inquiry upon notice to the Governors, satisfy themselves that such school has ceased to be in effi-

cient operation, no further payment shall be made to the Governors of such school unless and until the said Commissioners of National Education shall certify, or the Commissioners of Charitable Donations and Bequests shall satisfy themselves that it is again in efficient operation. If and so long as either of the schools shall cease to be in operation, the Governors thereof may from time to time appoint one of their own number to be an additional Governor of the remaining school.

Dissolution of existing Governors.

30. Immediately after the date of this scheme the existing "Governors of the School at Swords" shall proceed to pay and discharge out of the moneys in their hands, and the apportioned part of the account divided to be paid to them, as hereinbefore provided, all the salaries, outgoings, and liabilities due or payable by them up to the date of this scheme, including the above-mentioned sum of £75 payable to Robert William Griffin, LL.B., and their taxed costs of and incident to the preparation of this scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or to such other competent authority as the said Board shall direct. Upon such audit the net cash balances remaining in the hands of the said Governors or of their treasurer or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same shall be forthwith transferred or paid to the Governors of the Old Borough School hereby constituted to be by them held and applied for the purposes of the said school, and accounted for accordingly. The said existing Governors shall, at the same time, deliver to the said Governors of the Old Borough School hereby constituted, all books, documents, and other chattels and effects belonging to or held by them as such Governors, and thereupon "The Governors of the School at Swords" shall be dissolved.

Alteration of Scheme.

31. This scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland in any matter relating exclusively to either of the schools upon the application of the Governors thereof, or in any matter whatsoever upon the joint application of the Governors of both schools; but no alteration affecting either school shall be so made except upon the application of the Governors thereof, and no alteration shall be made contrary to anything contained in the Act.

We, the Judicial Commissioners constituted by the Educational Endowments (Ireland) Act, 1885, having duly considered the foregoing scheme, hereby submit the same for the approval of the Lord Lieutenant in Council under the said Act, duly signed by both of us under our hands, this Thirtieth day of September, 1896.

GERALD FITZGERDON, } Judicial
JOHN NASH, } Commissioners.

Witness:

WM. EDWARD ELLIS, Secretary.

THE SOCIETY FOR PROMOTING THE EDUCATION OF THE POOR OF IRELAND AND THE
CHURCH OF IRELAND TRAINING COLLEGE.

THIS Scheme has been framed in pursuance of the Educational Endowments (Ireland) Act, 1885, and submitted
for the approval of the Lord Lieutenant in Council on the Thirtieth day of September, 1886.

No. 2. City of DUBLIN.
EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

SCHEME framed under the Educational Endowments (Ireland) Act, 1885, for the future Government
and Management of the Educational Endowments of "THE SOCIETY FOR PROMOTING THE
EDUCATION OF THE POOR OF IRELAND," and of "THE CHURCH OF IRELAND TRAINING COLLEGE,"
both of Kildare-place, in the City of Dublin.

Whereas "The Society for Promoting the Education of the Poor of Ireland" was formed in or about the year 1811, and afterwards acquired certain estates and interests in lands and buildings situate in Kildare-place and Kildare-street, in the city of Dublin, and certain Government securities, moneys, chattels, and other effects, which are now held and administered by a committee claiming to be constituted under the "Laws and Regulations" of the said Society:

And whereas an Institution for the training of teachers, and certain Schools connected therewith, known as "The Church of Ireland Training College," have been established and are now in operation in and upon the premises in Kildare-place and Kildare-street aforesaid, under the management of a committee appointed by the authority of the General Synod of the said Church, and additional buildings have been erected by the last mentioned committee upon the said premises for the purposes of the said College:

And whereas all the property belonging to or held in trust for the said Society, or used or available for the purposes thereof, and also all the property belonging to or held in trust for the said College, or used or available for the purposes thereof, now constitute educational endowments within the meaning of "The Educational Endowments (Ireland) Act, 1885," to the whole of which endowments the said Act applies:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said endowments the same should be amalgamated, and the government and management thereof should be altered in manner hereinafter provided.

Therefore, from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall, by Order in Council, declare his approbation thereof), the said endowments shall be amalgamated, and shall thenceforth be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust, or direction relating to the subject matter of this Scheme, to the contrary notwithstanding.

Preliminary—Interpretation of terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Act" shall mean "The Educational Endowments (Ireland) Act, 1885."

"The Training College" shall mean the Institution known as "The Church of Ireland Training College," with the schools connected therewith, and the site, buildings, cartriages, and appurtenances thereof, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein now held, possessed, or enjoyed by any person or persons in trust for the said Institution or used for the purposes thereof.

"The Society" shall mean "The Society for Promoting the Education of the Poor of Ireland," which heretofore had its chief office at Kildare-place in the city of Dublin, and was commonly known as "The Kildare-place Society," and shall include the "Committee" of the said society, and all or any persons who, at the date of this Scheme, may be acting as members of or trustees for the said society or committee, and all or any other persons then holding or possessing any of the property thereof, or claiming to represent the same.

"The Governors" shall mean the Governing Body of "The Training College," hereby incorporated.

"The General Synod" shall mean the body known as "The General Synod of the Church of Ireland," or other the supreme legislative authority for the time being of the Church heretofore established by law in Ireland, hereinafter referred to as the said Church, and shall include any authority duly empowered to represent or act for the General Synod in that behalf.

"Elementary Education" shall mean such education as may be given in the National schools which are aided by grants from the Commissioners of National Education in Ireland.

Incorporation of Governing Body of Training College.

2. From and after the date of this Scheme, a Governing Body shall be formed for the management of the Training College, in the manner following:—

It shall consist of the several members for the time being of the Committee appointed by or under the authority of the General Synod for the management of the Training College, whose names are contained in the first part of the First Schedule hereto; and also of such of the members of the Committee of the Society acting as such at the commencement of the Act, whose names are contained in the second part of the said Schedule, as within one calendar month after the date of this Scheme shall declare their acceptance of the office in the manner hereinafter provided. Unless and until the General Synod shall otherwise provide, the said several persons shall be the Governors, and whenever any vacancy shall occur among such Governors by death, resignation, or otherwise, the remaining Governors may co-opt a Governor to fill such vacancy from amongst the members of the said Church, provided that no vacancy shall be so filled so long as the number of the Governors shall exceed thirty.

The said Governors shall constitute a body corporate with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

Vesting of Endowments.

3. From and after the date of this Scheme, the Training College, and all the estate and interest therein heretofore held in trust for the Society under the instruments mentioned in the first part of the Second

ARTICLE D.

Schedule hereto, and all other lands, buildings, Government securities, money, chattels, and other property and effects, belonging to or held in trust for the Training College or the Society, or used or available for the purposes thereof, shall, without any new conveyance or instrument, be transferred to and vested in the Governors hereby constituted, and be thenceforth held by them and their successors or assigns for ever, upon and for the trusts and purposes and subject to the conditions and provisions herein contained, subject nevertheless to all such rents, charges, securities, rights, covenants, and liabilities as at the date of this Scheme may lawfully affect the same.

Transfer of Stock, Money, and Chattels.

4. From and after the date of this Scheme the Governor and Company of the Bank of Ireland shall, without further order, transfer to the Governors hereby constituted the sum of £1,554 to be paid, Government New Three per Cent. stock, heretofore standing in the names of James R. Stewart, the Right Honorable Richard R. Warren, and Richard Wilson Gentile, as and being three of the existing "Committees" of the Society, and the other moneys and chattels mentioned in the second part of the Second Schedule hereto, and all other securities, chattels, debts, and moneys held by any person or persons for, or payable to or for the purposes of the Society or Training College, shall from and after the date of this Scheme, without any new transfer or instrument, be delivered, transferred, and paid by the person or persons possessed thereof or bound to pay the same to the Governors hereby constituted, and the receipt of any three Governors for any transfer, delivery, or payment hereby directed, shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Alteration of Governing Body.

5. At any time and from time to time after the date of this Scheme, the General Synod may appoint Governors to succeed the above named Governors, or alter the constitution of the Governing Body hereby constituted in such manner as such General Synod shall deem expedient, and may provide for the election, co-optation, or appointment of the Governors, other than *ex-officio* Governors, and may declare and define the office or offices which shall qualify any *ex-officio* Governor or Governors; provided that every such office shall be an office or dignity in or connected with the said Church, and that every Governor shall be a member thereof, and that the number of Governors, other than *ex-officio* Governors, shall not be less than seven.

Trusts of Endowments—Purposes of Scheme.

6. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all the property of or belonging to the Training College, or available for the purposes thereof, shall be held, and the principal and income thereof may be used and applied by the Governors from time to time, upon and for the following purposes:—

(a.) To maintain in and upon the premises in Kildare-place and Kildare-street aforesaid, or in and upon such other or additional premises as may, for the time being, be acquired or available for such purpose, a Training College within the meaning of the Act of Parliament passed in the session held in the 47th and 48th years of Her Majesty's reign, chapter 32, as an institution for boarding, lodging, and instructing Students, male and female, who are preparing to become, or are already, certified teachers in National or other Governmental Elementary Schools.

(b.) To maintain in and upon the same premises, or within a convenient distance thereof, one or more pre-empting National School or Schools in which the

Students may learn the practical exercises of their profession.

(c.) To make such provision in and upon the same premises as the Governors may, from time to time, think fit for boarding, lodging, and instructing Students, male and female, who are preparing to become, or are already, teachers in Elementary Schools, not being National or other Governmental Schools, provided that the making of such provision shall be regulated by the demand at the time being for such teachers, and the amount of funds then at the disposal of the Governors for that department of the work of the Training College.

(d.) To provide, upon such terms and conditions as the Governors shall from time to time think expedient, for the admission to the Training College of Students, male and female, who are preparing to become or are already teachers by profession, though not teachers in schools, but so that the provision for training teachers in schools shall not be prejudicial thereby.

(e.) To provide, upon such terms and conditions as the Governors shall from time to time think expedient, for the admission to the Training College of extra Students, male and female, who are preparing to become or are already teachers, but so that the provision for resident Students shall not be prejudicial thereby.

Trusts of School Premises.

7. The Governors shall, subject to the other provisions of this Scheme, stand possessed of the land and buildings hereby vested in them, upon trust, in the first instance, to use the same or such parts thereof as shall be required, for the purposes of the Training College and pre-empting Schools, and for the accommodation of the Students and pupils attending the same; any parts of the said premises not required for such use shall, in the next place, be used, so far as shall be required, for the residence of such professors, teachers, officers, and servants employed in the said College or Schools, or the Governors shall deem it expedient to provide with residence therein, and for such other educational purposes as shall from time to time be approved by the Governors. If, whenever, and so far as the said premises shall not be required for such purposes, the Governors may permit the same to be used for such other purposes as they may approve, upon such terms as they may think fit, so that such use shall not interfere with the efficient working of the College or Schools, and shall not be contrary to the Rules and Regulations of the Commissioners of National Education for the time being, and so that all or any money which may at any time be charged or received for such use shall be applied for the purposes of the Training College, and accounted for by the Governors accordingly.

Payment of Expenses.

8. The Governors shall, subject to the other provisions of this Scheme, pay out of the income of the funded and money endowments hereby vested in them, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors or out of the Endowment for the costs and expenses of this Scheme, or of audit or inspection, or otherwise.

Additional Endowments.

9. The Governors may receive and hold donations, bequests, subscriptions, and other additional endowments, real or personal, and may apply the same for the purposes of this Scheme. They may also receive and hold donations, bequests, subscriptions, and other endowments, real or personal, and apply the same for any object connected with the Training College or with the purposes of this Scheme, which shall not be inconsistent with, or calculated to impede, the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts to be kept by the Governors under this scheme.

Application of Endowment.

10. All moneys received by the Governors under or for the purposes of this scheme shall (subject to the other provisions of this scheme, and to any special trusts or conditions upon which any part thereof may be received), be expended and applied by them as they shall think most expedient for the following purposes:—

(a.) To maintain the College, providing schools, furniture, appliances, and premises in good order and condition, and to make such additions thereto, and improvements therein, as may be required from time to time.

(b.) To pay all rents, taxes, charges, cost of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and in defraying the necessary working expenses of the Training College.

(c.) To maintain an efficient training and teaching staff; for this purpose the Governors may employ the aid which may be received from the Commissioners of National Education, or from any other source, and may employ and pay such Principal, Professors, Teachers, and Monitors, as they may deem it expedient to employ for the instruction of the students and pupils attending the College and Schools, including professors and teachers qualified to give instruction in such special subjects of Intermediate, Technical, Commercial, or Industrial Education as they shall deem suitable or useful for any sufficient number of such students or pupils, and also including the cost of providing such Religious Instruction and training as they may deem it expedient to give to such of the students and pupils as shall be Members of the said Church.

(d.) To maintain a sufficient household and domestic staff, and to make all other necessary provision for the board, lodging, and accommodation of the students attending the College, and of the resident staff employed in the College or Schools.

(e.) To provide prizes for the most deserving students and pupils; such prizes may be awarded in money or in remission of fees, or in such other manner as the Governors may deem best calculated to stimulate the industry, reward the diligence, or promote the progress of the students and pupils or to increase the attendance at the College or schools. Such prizes may be so given as to enable or encourage deserving and capable students or pupils, who require such assistance, to continue their education at the College or schools longer than they could otherwise do, or to obtain special instruction or more advanced education during their training.

*General Provisions as to Governing Body.
Powers of Governors.*

11. Subject to the provisions of this scheme, and to the Rules and Regulations of the Commissioners of National Education, the Governors may prescribe and regulate the course of instruction, and the terms and vacations, and may make all necessary and proper arrangements to be observed in and shall have and exercise general supervision and control over the College and schools. Subject as aforesaid, they may appoint from time to time upon such terms as they shall think fit and at such salaries as they may deem sufficient, the several members of the training, teaching, household, and domestic staff employed in or about the College or schools, and also such secretary, accountant, clerks, managers, and other officers and servants as they shall from time to time deem it advisable to employ; every officer in the employment of the Governors, and every teacher and officer in the College or schools, shall be removable by the Governors for adequate cause, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice, subject, however, to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the

passing of the Act. Provided always that no person who shall, after the date of this scheme, be appointed to any paid office or employment under the Governors, or who shall thereafter become entitled under any such appointment to any salary or emolument out of the endowment, shall be capable of becoming, or shall continue to be a Governor. The Governors may, with the consent of the Commissioners of Charitable Donations and Bequests, grant to any officer in their employment who shall become incapable of further duty, or whose services shall be no longer required, a reasonable retiring pension or gratuity, to be fixed with due regard to length of service and to the circumstances of his or her employment.

Connection with Commissioners of National Education.

12. The College and schools shall continue to be in connection with and shall remain subject to the Rules and Regulations of the Commissioners of National Education. The Governors shall possess all rights, powers, and privileges, and may receive all grants, loans, and other aid, for the time being by law available for "Training Colleges under local management," upon the terms and in the manner prescribed by statute, or by such Rules and Regulations, with respect to such training Colleges. The Governors may from time to time appoint and remove a Manager or Managers of the College and schools, who shall have and exercise all the powers and authority of such Manager under the Rules and Regulations of the Commissioners of National Education.

Instruction in Practising Schools.

13. Subject to the other provisions of this scheme, the Governors shall maintain the practising schools, in connection with the College as schools for Elementary Education to which all scholars desiring to attend the same shall be admitted without regard to religious distinctions: the Rules and Regulations of the Commissioners of National Education shall be observed therein, and no child attending the same shall be compelled or permitted to receive or to be present at any religious instruction to which his or her parents or guardians object, and the times for and mode of giving religious instruction in the said schools shall be so fixed that no child shall be thereby in effect excluded directly or indirectly from any of the other advantages afforded by the schools.

Removal of Students.

14. The Governors may discontinue any student from the College for adequate cause, such cause to be specified in the order of dismissal, and the sufficiency of such cause shall be in the sole discretion of the Governors.

Inspection.

15. Unless and until the Lord Lieutenant shall appoint an Inspector in pursuance of the Act, section 17, each Inspector from time to time appointed by the Commissioners of National Education to inspect the College or Schools, in accordance with the Rules and Regulations of the said Commissioners, shall be deemed to be the Inspector appointed by the Lord Lieutenant under the Act, but such Inspector shall not be entitled as such to any remuneration in addition to the remuneration which he may be entitled to receive from the said Commissioners. The reports of such such Inspector shall be presented by the Governors to the Lord Lieutenant.

Appointment of Inspector by Lord Lieutenant.

16. If and whenever the Lord Lieutenant shall appoint an Inspector in pursuance of the Act, section 17, such Inspector shall inspect the Training College

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Meetings of Governors.

17. Within one calendar month after the date of this Scheme, and twice at the least in every year thereafter, the Governors shall meet at the Training College, and they may also meet at such other times and places as they may from time to time appoint. Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before such meeting. The Chairman or any three or more other Governors may, at any time, summon a special meeting, giving notice to each Governor six clear days, at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the Governors present may appoint.

Chairman, Quorum, and Secretary.

18. Unless and until the General Synod shall otherwise provide, the Protestant Archbishop of Dublin shall, *ex-officio*, be Chairman, and shall preside at every Meeting of the Governors; and, in his absence, the majority of the Governors present at such Meeting shall elect a Chairman who shall preside therein. Five Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman shall have a second or casting vote. The Governors may appoint any one or two of their own number to act as Honorary Secretary or Secretaries.

Minutes, Books, and Documents.

19. Every Governor, not being an *ex-officio* Governor, shall at or before the first meeting which he attends, sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor of the Training College, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting and by two other Governors, shall be held to be validly executed on behalf of the Training College.

Committees.

20. The Governors may, from time to time, appoint any two or more of their number to be a Committee or Committees to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this scheme, or to manage such of the business of the Training College as the Governors may deem it expedient to delegate to such Committee or Committees. They may also appoint a Committee of Ladies to assist in the management of the Training College, as may be found expedient. They may also, as may be found expedient, appoint Local Committees in the several Dioceses of Ireland, or for such other districts as they may think fit, to assist or represent the Governors in collecting funds, selecting students, and transacting such other business relating to the Training College as it may seem expedient to delegate to such Local Committees. The Governors may fix the quorum, define the duties, and regulate the proceedings of every such Committee as they may think fit.

Treasurer in the office of Governor.

21. Every Governor, not being an *ex-officio* Governor, who shall cease to be a member of the said Church, or shall resign by writing under his hand, or shall be or shall become bankrupt, or shall become incapable of acting, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy with the cause thereof shall be recorded in the Minutes, and shall be filled as hereinbefore provided as soon as conveniently may be after it shall have occurred.

By-Laws and Regulations.

22. The Governors may, from time to time, make such by-laws and regulations as they shall consider convenient and needful for the good government and management of the Training College, and for effectuating the purposes of this scheme; and they may prescribe and regulate the terms and conditions upon which Students and Pupils shall be admitted to the College and Schools respectively, and fix such reasonable fees to be payable by the Students and Pupils as they shall from time to time think fit; provided that no such by-law or regulation shall be inconsistent with the provisions of this scheme, or with any of the Rules or Regulations of the Commissioners of National Education for the time being applicable to the said College or Schools, and that the same may be repealed, altered, or amended by the Governors, from time to time, as they shall deem expedient.

Accounts and Audit.

23. The Governors shall cause to be kept regular accounts of all their receipts and disbursements, in such manner and form as shall be from time to time prescribed by the Local Government Board, and the accounts for each year ending the 31st day of August, or such other day as the Board may appoint, or an abstract thereof, in such form as the said Board shall prescribe, shall be submitted on or before the 1st day of November following, or such other day as the Board may appoint, to an Auditor of the Local Government Board, or to such other competent authority as the Board shall appoint. The Governors shall keep an account with such bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorized.

Sale, Letting, and Exchange.

24. The Governors may at any time, with the previous sanction of the Commissioners of Ecclesiastical Donations and Bequests, dispose, by way of sale or letting, or in exchange for other lands or benefices, of all or any of the lands and buildings vested in them (if and so far as not required for the purposes of the Training College) upon the most advantageous terms which they can reasonably obtain, and under such conditions as they shall think fit, and they shall receive and dispose of all moneys received on any such sale, letting, or exchange, for the purposes and in accordance with the provisions of this Scheme.

Investments.

25. The Governors may at any time sell any of the stocks, funds, and securities which may be vested in them for the purposes of this Scheme, and may invest the moneys arising from any such sale, or from the sale or for equality of exchange or by way of lease upon the letting of land or buildings, and may also invest and accumulate any residue of income not required in any year for the purposes aforesaid, in any of the public stocks, funds, or securities of the United Kingdom, or of any Colony or Dependency thereof, or upon freehold or leasehold securities in the United

Kingdom, or upon the bonds, debentures or mortgages of any Company or Corporation, whether municipal, commercial or otherwise, carrying on business or conducted for any purpose in the United Kingdom or any Colony or Dependency thereof, and the Governors may from time to time vary such investments, and may from time to time resort to the accumulations of any previous year, and apply the same to the purposes of this Scheme.

Kildare-place Depository.

24. From and after the date of this Scheme all books, stationery, school requisites, stock-in-trade, and other chattels and effects, in the Depository heretofore maintained by the Society at No. 4 Kildare-place, or in the shop, rooms or stores used in connection therewith, shall be transferred to the Governors by the person or persons then possessed thereof on behalf of the Society, and all trade debts and other sums then payable to the Society shall be thereupon payable to and recoverable by the Governors, and all like sums then payable by the Society shall be thereupon payable by and recoverable from the Governors, and the Governors may thereupon continue and carry on the same business heretofore carried on by the Society in such Depository, but so long only as it shall seem to the Governors to be for the advantage of the Training College as to do. So long as such business shall be so carried on the Governors may continue to make grants, free or at reduced prices, of books, to and upon the application of any school or schools to which the like grants were heretofore made by the Society, provided that no such grant shall be made at the cost or out of the endowments of the Training College. Separate accounts of the said business, and of the profit and loss arising therefrom, shall be kept by the Governors, and included in the accounts to be annually submitted to audit, as hereinafter provided.

Provision for Vested Interests.

25. Every individual who at the date of the passing of the Act held, and at the date of this Scheme shall continue to hold, any office, place, employment, pension, compensation, allowance or emolument, under or arising out of the endowments hereby transferred to and vested in the Governors hereby constituted, shall continue to hold and be entitled to receive the same from the said Governors upon the same terms and in the same manner in every respect as he or she held and was entitled to receive the same at the date of the passing of the Act, and every such individual shall remain bound to perform the same, and all like duties for the Governorship as long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this Scheme had not passed, and his or her employment may be determined by the Governors at any time after the date of this Scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, by or on which such existing employers might have determined such employment if this Scheme had not passed. The Governors shall grant to any such existing officer who, otherwise than through wilful misconduct, shall become incapable of further duty, or whose services shall be no longer required, such reasonable retiring pension or gratuity, to be fixed with due regard to length of service and to the circumstances of his or her employment, as the Commissioners of Charitable Donations and Bequests shall approve.

Dissolution of the Society.

26. Immediately after the date of this Scheme the members of the existing "Committee" of the Society shall proceed to pay and discharge out of the moneys in their hands all the salaries, outgoings and liabilities due or payable by them up to the date of this Scheme, and shall prepare a final account of all their receipts and disbursements, and submit

the same for audit to the Local Government Board, or to such other competent authority as the Board shall direct. Upon such audit the net cash balances remaining in the hands of the said Society, or of the members of the said "Committee," or of any of their officers, or of their treasurers, registers, or bankers, on their account, shall be ascertained and certified, and thereupon the same shall be forthwith transferred or paid to the Governors hereby constituted, to be by them held and applied for the purposes of the Training College, and accounted for accordingly. The said existing Committee, or their officers, shall at the same time deliver to the Governors all books, documents, and other chattels and effects belonging to or held by them, or in their custody or control as such, and thereupon "The Society for Promoting the Education of the Poor of Ireland" shall be dissolved.

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Alteration of Scheme.

27. This Scheme may be altered from time to time in any manner whatsoever by the Commissioners of Charitable Donations and Bequests for Ireland, upon the application of the Governors, or upon the application of the General Synod, but except upon such application no alteration shall be so made, and no alteration shall be made contrary to anything contained in the Act.

FIRST SCHEDULE.

FIRST PART.—Managing Committee of the Training College.

The Most Rev. Lord Plunket, Archbishop of Dublin,
Chairman.
Most Rev. Robert Knox, Archbishop of Armagh.
Most Rev. Charles F. Reilich, Bishop of Meath.
Right Rev. Robert Gregg, Bishop of Cork.
Right Rev. William P. Walsh, Bishop of Cloyne.
Right Rev. William R. Chester, Bishop of Killaloe.
Hon. Mr. Justice Harrison.
Hon. Frederick Pollock, Recorder of Dublin.
Very Rev. A. H. Leah, Dean of Cashel.
Very Rev. H. H. Dickinson, Dean of Chapel Royal.
Very Rev. H. Stewart, Dean of Limerick.
Ven. J. G. Scott, Archbishop of Dublin.
Ven. Garrett Nugent, Archbishop of Meath.
Sir Andrew S. Hart, Vice-President, T.C.D.
A. Trull Esq., F.R.C.S.D.
Rev. Canon Gellibrick.
Rev. Canon Warren.
Rev. Canon Wynn.
Rev. Canon Bell.
Rev. Canon Leaper.
Richard Bagwell, Esq.
Wm. Graham Brooke, Esq.
Thomas T. Chapman, Esq.
Henry F. Colley, Esq.
Lieut.-Col. John Ffalconer.
Rev. F. C. Hayes.
K. H. Kimball, Esq.
Rev. Wm. Sheppard.
James Wilson, Esq.
Rev. J. J. Robinson.
Rev. H. Kingsmill Moore.

SECOND PART.—Living "Committee" of the Society.

John E. Barton, Esq., M.P.	R. H. A. McCool, Esq.
Edward C. Carleton, Esq.	John H. Knox, Esq.
R. E. Franks, Esq.	Thomas Harrington, Esq.
Judge Gamble.	John Seymour, Esq.
Anthony Lefroy, Esq., M.P.	Henry M. Smythe, Esq.
Henry W. Mackintosh, Esq.	James R. Stewart, Esq.
Robert Macklock, Esq.	Right Hon. R. R. Warren.

SECOND SCHEDULE.

FIRST PART.—Particulars of Real, Chattel, and House Property comprised in Clause 5 of this Scheme.

1. The House known as No. 4 Kildare-place, with the school buildings, class rooms, and buildings and appurtenances, and all other the benefices comprised in the deed of conveyance dated 12th July, 1816, from Luke White to Samuel Bewley and others, trustees for the Society.

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2. The Houses known as Nos. 10 and 11 Kildare-street, with the outbuildings and appurtenances, and all other the tenements comprised in the indenture of lease dated 1st January, 1823, from Henry White to Samuel Bewley and others, trustees for the Society.

3. All the beneficial estate and interest of the Society in the foregoing premises, and all the legal estate and interest held in trust for the Society therein, under the deed of conveyance and declaration of trust dated 29th October, 1822, made between John David La Touche and Joseph Devanther Jackson.

SECOND PART.—*Particulars of Endowments comprised in Clause 4 of this Scheme.*

1. The interest of the Society in the residuary bequest of the late Hon. Sophia Ward, under her last will and testament, dated 18th December, 1824.

2. The actual sum of £10, payable to the Society under the last will and testament of the late Caroline Carey, dated 8th December, 1838, and now paid by the Commissioners of Charitable Donations and Bequests.

3. The interest of the Society in the bequest of £200, late Irish currency, under the last will and testament of the late Wm. F. Loftus, dated 20th May, 1817, the capital whereof is included in the sum of £1,354 6s. 3d., Now

Three per Cent. Government Stock, in the Scheme mentioned, and all other the beneficial interest of the Society in the said sum of £1,354 6s. 3d. Government Stock.

4. The stock of books, stationery, school requisites, and stock-in-trade, fixtures, furniture, and effects in the Society's depository, No. 4 Kildare-place, or in the shop, rooms or stores used in connection therewith, with the debts due to the said depository, and the goodwill of the business carried on by the Society therein.

5. All cash balances and securities standing to the credit of the Society, in bank or elsewhere, at the date of the Scheme.

We, the Judicial Commissioners constituted by the Educational Endowments (Ireland) Act, 1885, having duly considered the foregoing Scheme, hereby submit the same for the approval of the Lord Lieutenant in Council, under the said Act, duly signed by both of us under our hands this Thirtieth day of September, 1886.

GERALD FRYE-GIBSON, }
JOHN NASH, } *Judicial Commissioners.*

Witness:

WM. EDWARD ELLIS, *Secretary.*

MORGAN'S SCHOOL AND MERCER'S SCHOOL, CASTLEKNOCK.

This Scheme has been framed in pursuance of the Educational Endowments (Ireland) Act, 1885, and submitted for the approval of the Lord Lieutenant in Council, on the Thirtieth day of September, 1886.

No. 3.

County and City of DUBLIN.

EDUCATIONAL ENDOWMENTS (IRELAND) COMMISSION.

SCHEME framed under the Educational Endowments (Ireland) Act, 1885, for the future Government and Management of the Educational Endowments known as "MORGAN'S SCHOOL," and "MERCER'S SCHOOL," both situate at Castleknock, in the County of Dublin.

Will of Richard Morgan.

Whereas Richard Morgan, late of Newcastle, in the County of Dublin, deceased, by his will dated 10th March, 1773, devised and bequeathed to the Lord Primate of all Ireland, the Lord Chancellor of Ireland, the Lord Archbishop of Dublin, the Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron of the Exchequer, and the Lord Mayor of the City of Dublin, all for the time being, and their successors for ever, certain estates and property upon trust, out of the first produce thereof, to erect two separate buildings at a distance not exceeding two miles from Dublin; one to provide for the accommodation of 100 boys, the other for the accommodation of 100 girls, all the children of reduced or poor Protestant parents, to be clothed, dieted, lodged, and properly educated, under proper masters and mistresses, and when of sufficient age, to be apprenticed to Protestant masters or mistresses, or portioned upon intermarrying with Protestants, as in the said will provided:

Will of Mary Mercer.

And whereas Mary Mercer, late of the City of Dublin, spinster, deceased, by her will dated 7th August, 1733, devised and bequeathed to the Lord Archbishop of Dublin, the Lord Bishop of Kildare, the Dean of the Cathedral Church of St. Patrick, Dublin, the Vicar of St. Peter's Parish, Dublin, and the Minister of St. Bride's Parish, Dublin, and to their successors for ever, certain estates and property, upon

trust to employ the rents issues and profits far and towards the clothing, dieting, maintaining, and supporting of poor girls, and for their instruction in reading, writing, and working, and qualifying them to be put out apprentices; and the said Mary Mercer also devised a certain house and school in St. Stephen's Churchyard, in the Parish of St. Peter and City of Dublin, unto the same trustees, upon trust to admit and place therein all such poor girls as should be provided for as aforesaid.

Charitable Bequest for Sick Poor.

And whereas the said Mary Mercer also by her said will directed her executors to lay out the sum of £2,000 (of the then currency of Ireland) on the purchase of lands to be assured to the same trustees, upon trust to apply the rents, issues, and profits thereof for the relief of poor indigent sick persons resident in the parishes of St. Peter, St. Bridget, St. Luke, and St. Nicholas Without the Walls, in the City of Dublin, and directed that the respective ministers of the said parishes who should personally visit the sick, should have the distribution of the said money amongst such poor sick persons in the said parishes as they should judge to be proper objects for such relief, and that the trustees of her will should half-yearly divide and pay over the said sums in equal shares to the said respective ministers, who should distribute the same accordingly:

And whereas the said sum of £2,000 (late Irish currency) was afterwards, with other money, laid out on

the purchase of certain lands now vested in the said trustees, and the sum of £92 5s 2d. present currency (equivalent to £100 late currency of Ireland), by way of interest on the said sum, has for many years past been applied by them out of the rents and profits of the said lands to the last-mentioned charitable purpose:

Sale of Lands.

And whereas certain other lands vested in the said trustees were afterwards sold, in pursuance of the *Lands Clauses Consolidation Act, 1845*, and the purchase money thereof was invested in the purchase of £3 per Cent. Bank Annuities, now standing in the books of the Governor and Company of the Bank of England in the name of the Paymaster-General of the Supreme Court of Judicature in England, and to the credit of an account entitled "Ex parte the Trustees of the Charitable Estate of Mary Mercer, late of the city of Dublin, deceased, and in the Matter of the London and North Western Railway (Lines near Liverpool) Act, 1861,"

Establishment of Schools.

And whereas two separate buildings were erected at Castlknock, in the county of Dublin, as by the will of the said Richard Morgan directed, but the property held upon the trusts of the same will proved insufficient to carry out all the purposes thereof, and a school providing accommodation for thirty-six boys only or thereabouts was established in one of the said buildings, and is now in operation, and is known as "Morgan's School,"

And whereas the house devised by the said Mary Mercer as aforesaid was otherwise disposed of by her during her life, and a building at Rathcoole, in the county of Dublin, acquired by the Trustees for the purposes of her will, afterwards became unsuitable for a school; and the possession of the other of the said buildings at Castlknock was thereupon given by the Trustees of the will of the said Richard Morgan to the Trustees of the will of the said Mary Mercer, and a school providing accommodation for thirty-six girls or thereabouts was established therein, and is now in operation, and is known as "Mercer's School,"

And whereas all the estates and property now vested in or held by the Trustees of each of the hereinbefore recited wills, upon trust for or used or available for the purposes of the said schools, now constitute Educational Endowments within the meaning of "The Educational Endowments (Ireland) Act, 1885," and the said Act applies to the same:

And whereas it has appeared to the Commissioners under the said Act, after due inquiry, that in order to extend the usefulness of the said endowments the same should be amalgamated, and the government and management thereof should be altered in manner hereinafter provided, and that provision should also be made for effectuating the charitable trusts of the will of the said Mary Mercer respecting the said sum of £2,041 12s. 2d. late Irish currency:

Therefore from and after the date of this Scheme (being the day upon which the Lord Lieutenant shall by Order in Council declare his approbation thereof), the said endowments shall be amalgamated, and shall thereupon be held, governed, managed, and applied for the purposes, with the powers, under the conditions and provisions, and in the manner hereinafter set forth, and not otherwise, any previous Act of Parliament, letters patent, statute, charter, deed, instrument, trust, or direction relating to the subject-matter of this Scheme to the contrary notwithstanding.

Preliminary.—Interpretation of Terms.

1. For the purposes of this Scheme, unless the context otherwise requires, the following terms shall be interpreted as follows:—

"The Act" shall mean "The Educational Endowments (Ireland) Act, 1885."

"The Governors" shall mean the Governing Body of Morgan's and Mercer's Schools, hereby incorporated.

"Morgan's School" shall mean and include the Boys' School heretofore existing at Castlknock, and known by that name, with the site, buildings, curtilages, and appurtenances thereof, and all land held or occupied therewith, and the furniture, appliances, and other chattels thereto belonging, and all the estate and interest therein held, possessed, or enjoyed by any person or persons upon the trusts, or used for the purposes declared by the will of Richard Morgan concerning the same School.

"Mercer's School" shall mean and include the Girls' School heretofore existing at Castlknock and known by that name, with the site, buildings, curtilages, and appurtenances thereof, and all land held or occupied therewith, and the furniture, appliances and other chattels thereto belonging, and all the estate and interest therein held, possessed, or enjoyed by any person or persons upon the trusts or used for the purposes declared by the will of Mary Mercer concerning the same School.

"Morgan's School Endowment" shall mean and include all the lands, hereditaments, monies, securities, chattels, and effects, and all other the property, real and personal, at the date of this Scheme held or possessed by the trustees of the will of Richard Morgan, or by any other person or persons, upon or for the trusts or purposes by the same will declared concerning "Morgan's School," and all rents and monies due or accruing in respect thereof.

"Mercer's School Endowment" shall mean and include all the lands, hereditaments, monies, securities, chattels, and effects, and all other the property, real and personal, at the date of this Scheme held or possessed by the trustees of the will of Mary Mercer, or by any other person or persons, upon or for the trusts or purposes by the same will declared concerning "Mercer's School," and all rents and monies due or accruing in respect thereof, and shall also include the above mentioned sum of £2,041 12s. 2d. Government Consolidated Annuities, and all dividends due or accruing thereon.

"The General Synod" shall mean the body known as "The General Synod of the Church of Ireland" or other the supreme legislative authority for the time being of the Church formerly established by law in Ireland, hereinafter referred to as the said Church, and shall include any authority duly empowered to represent or act for the General Synod in that behalf.

"The Diocesan Council" shall mean the body known as "The Diocesan Council of the Diocese of Dublin" appointed in accordance with the constitution of the said Church, and shall include any authority duly empowered to perform the functions now performed by such Council.

Transfer of Stock.

2. From and after the date of this Scheme, the sum of £2,041 12s. 2d. Government £3 per cent. Consolidated Bank Annuities, now standing in the books of the Governor and Company of the Bank of England, in the name of the Paymaster-General of the Supreme Court of Judicature in England, and to the credit of an account entitled "Ex parte the Trustees of the Charitable Estate of Mary Mercer, late of the city of Dublin, deceased, and in the matter of the London and North Western Railway (Lines near Liverpool) Act, 1861," together with all dividends then due or accruing thereon, and all such arising from such dividends which may be then standing to the credit aforesaid, shall, without any new conveyance or instrument, vest absolutely in the Governors, and the Governors shall, as soon as conveniently may be thereafter, apply for and obtain a transfer to them of the said stock, dividends, and monies, and after payment thereof of the costs of such transfer, shall thereupon stand possessed of the said sum upon trust half-yearly to apply the dividends, interest, and income thereof (in

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cluding the dividends and cash, if any, payable as aforesaid, to the purposes of this scheme. The Governors shall, out of the said dividends and so much of the income of the other property of Mercer's School Endowment as shall be required, from and after the date of this Scheme for ever pay the sum of £93 6s. 2d. in each year in four equal shares, one share for each parish, to the Incumbents or other principal Ministers of the said Church for the time being of the parishes of St. Peter, St. Bridget, St. Lucia, and St. Nicholas Without, in the City of Dublin, or of any union of parishes which may include the same, and if any of the said parishes has been or shall be united with any other parish or parishes, the share of each parish so united shall be paid to the Incumbent or other principal Minister of the union, and if any of the said parishes has been or shall be divided, the share of the parish so divided shall be paid to the Incumbent or other principal Minister of the parish or union which may include the largest part of the divided parish. The sums to be paid as aforesaid shall be distributed by the Incumbents or Ministers receiving the same, among poor sick persons in the said parishes directed by the will of Mary Mercer, and shall be taken and applied by them in accordance with and in discharge and satisfaction of the trusts of the said will respecting the rents, issues, and profits of the lands thereby directed to be purchased for the sum of £5,000, late currency of Ireland, and save as to the said payment of £93 6s. 2d. yearly, the said trusts shall not affect the Governors hereby constituted or the Educational Endowments hereby vested in them or any part thereof. The said sum of £93 6s. 2d. shall be paid by two equal half-yearly payments, and the first half-yearly payment shall be made at the expiration of six months after the date of this scheme.

Incorporation of Governing Body for Schools.

3. From and after the date of this Scheme a Governing Body shall be formed for the joint government and management of Morgan's School and Mercer's School in manner following:—It shall consist of the following *ex-officio* Governors:—namely, the Protestant Archbishop of Dublin; the Dean of the Cathedral Church of St. Patrick, Dublin; the Protestant Archbishop of Dublin; the Incumbent of the parish of St. Peter, Dublin; the Incumbent of the parish of St. Bride, Dublin, or of any union of parishes of which the said parish may form part; the Incumbent of the united parish of St. Luke and St. Nicholas Without, Dublin; and the Incumbent of the parish or of each of the parishes in which the said schools, or either of them, may be situate, all for the time being, together with six lay Governors to be appointed as hereinafter provided. The first lay Governors shall be the following:—

1. Sir Edward Cecil Guinness, of Farnleigh, Castleknock, Baronet.
2. Isaac Trant Hamilton, of Albiontown, Castleknock, Esquire.
3. Lieut.-Colonel Richard Wilson Hartley, of Beechpark, Clonsilla.
4. John Fitz Goodman, of Ashbrook, Castleknock, Esquire.
5. John W. Brookes, of Elmgreen, Castleknock, Esquire.
6. Charles Thompson, of Hollywoodrath, Malhoddart, Esquire.

All the Governors shall be members of the said Church.

The said Governors shall constitute a Body Corporate by the name of "The Governors of Morgan's and Mercer's Schools," with perpetual succession and a common seal, and power to acquire and hold property, real and personal, for the purposes of this Scheme.

Appointment of future Governors.

4. Two lay Governors shall go out of office on the 31st day of December first happening more than

twelve months after the date of this Scheme, and upon every succeeding 31st day of December. The order in which the first lay Governors shall go out of office shall be determined by lot, and each lay Governor thereafter appointed shall hold office for three years, and no longer. Every outgoing lay Governor shall be eligible for re-election provided he shall have attended at least one-third of the meetings of Governors held during his term of office, but not otherwise. Unless and until the General Synod shall otherwise provide, two lay Governors shall be appointed in the place of those going out of office as aforesaid in the month of November or December in each year by the Diocesan Council, and shall enter upon office on the 1st day of January following. Two at least of the lay Governors shall be resident in the parish, or in each of the parishes if more than one, in which the schools shall be situate. Whenever any casual vacancy shall occur among the lay Governors by death, resignation, or otherwise, the remaining Governors may co-opt a duly qualified Governor to fill such vacancy; and every Governor so co-opted shall hold office so long only as the Governor in whose place he shall have been co-opted might have held the same.

Vesting and Transfer of Endowments.

5. From and after the date of this Scheme "Morgan's School" and "Mercer's School Endowment," shall, without any new conveyance or instrument, be transferred to and vested in "The Governors of Morgan's and Mercer's Schools," and be thenceforth held by them and their successors for ever, upon and for the trusts and purposes of this Scheme, and subject to the conditions and provisions herein contained, and to all such rules, charges, rights, covenants, and liabilities as at the date of this Scheme may lawfully affect the same. From and after the date of this Scheme all property, securities, goods, chattels, and moneys held by any person or persons for or payable to, or for the purposes of Morgan's School or Mercer's School, or the trustees thereof respectively, shall be delivered, transferred, and paid by the person or persons possessed thereof, or bound to pay the same to the Governors hereby constituted; and the receipt of any three Governors for any transfer, delivery, or payment hereby directed shall be a good discharge for the person or persons making the same, and he or they shall not be answerable for the application thereof.

Alteration of Governing Body

6. At any time, and from time to time after the date of this Scheme, the General Synod may alter the constitution of the Governing Body hereby constituted in such manner as such General Synod shall deem expedient, and may provide for the election, co-option, or appointment of the Governors, other than *ex-officio* Governors, and may declare and define the office or offices which shall qualify any *ex-officio* Governor or Governors, provided that the number of Governors, other than *ex-officio* Governors, shall not be less than six.

Trusts of Endowment.—Purposes of Scheme.

7. From and after the date of this Scheme, and subject to the conditions and provisions herein contained, all the property or of belonging to the Governors, or available for the purposes of this Scheme, shall be held, used, and applied by them (subject to the payment out of the income of Mercer's School Endowment of the above-mentioned yearly sum of £93 6s. 2d.) upon and for the following trusts and purposes:—

To maintain a boarding school for poor or reduced Protestant boys, to be called "Morgan's School," and a boarding school for poor or reduced Protestant girls

to be called "Mercer's School," in the manner and subject to the conditions and provisions herein prescribed.

General Provisions as to the Schools.—
Maintenance of Schools.

8. The schools shall be maintained in the buildings hitherto occupied thereby respectively, or in such other buildings as the Governors may acquire as hereinafter provided. The Governors may, if and when they shall so think fit, remove either or both of the said schools to some other convenient site or sites, in or near the City of Dublin, and upon any such removal of either school the buildings and premises theretofore occupied by it may be appropriated to the use of the other school, or may be sold, let, or otherwise disposed of to the best advantage. Provided always that no such removal shall take place, nor shall any agreement for the same, or for any letting, sale, or disposal of the existing school premises, be made or entered into by or become binding upon the Governors without the previous sanction of the Commissioners of Charitable Donations and Bequests for Ireland, and such sanction shall not be given unless and until the said Commissioners shall have satisfied themselves, upon due inquiry, that such removal is for the benefit of either or both schools.

Additional Endowments.

9. The Governors may receive and hold donations, subscriptions, and other additional endowments, real or personal, and apply the same for the purposes of this Scheme. They may also receive and hold donations, subscriptions, and other endowments, real or personal, and apply the same for any object connected with the schools, or either of them, or with the purposes of this Scheme, which shall not be inconsistent with or calculated to impede the efficient working of the provisions hereof. All property and moneys so received or applied shall be included in the accounts to be kept by the Governors under this Scheme.

Application of Endowment.

10. All moneys received by the Governors under or for the purposes of this Scheme, shall (subject to the other provisions of this Scheme, and to any special trusts or conditions upon which any part thereof may be received), be expended and applied by them for the following purposes:—

- (a) To maintain the Schools, furniture, appliances, and premises in good order and condition, and to make such additions thereto, and improvements therein, as may be required from time to time.
- (b) To pay all rents, taxes, charges, cost of insurance, and other outgoings and expenses, necessarily or properly payable out of or for the said premises, and to defray the necessary working expenses of the Schools and the cost of managing the Schools and the endowments.
- (c) To maintain an efficient Teaching Staff for the Schools; for this purpose the Governors may employ and pay such Teachers as they may deem it expedient to engage for the instruction of the pupils—including Teachers qualified to give instruction in such special subjects of Intermediate, Technical, Commercial, or Industrial Education as they shall deem suitable or useful for any sufficient number of the pupils, and also including the cost of providing such Religious Instruction as they may deem it expedient to give to the pupils. The education to be given in the Schools shall be such as may from time to time seem best calculated to enable the pupils on leaving School to maintain themselves in respectable positions of life by their own exertions.
- (d) To maintain a sufficient household and domestic staff, and to provide suitable board, lodging, and accommodation for the pupils, and for the resident staff of the Schools.
- (e) To provide prizes for the most deserving pupils; such prizes may be awarded in such manner as the

Governors may deem best calculated to stimulate the industry, reward the diligence, or promote the progress of the pupils, and may be so given as to enable or encourage deserving and capable pupils, who require such assistance, to continue their education at the Schools longer than they could otherwise do, or to obtain special instruction or more advanced education elsewhere.

(f) To advance in life deserving pupils whose circumstances are such that they need assistance on leaving school. Such assistance shall, in each case, be given with due regard to the circumstances and needs of the pupil receiving the same, and may be given as or towards apprenticeship fees, the cost of obtaining special instruction or more advanced education elsewhere, or in such other mode, and subject to such conditions, as the Governors may consider most advantageous.

Election of Free Pupils.

11. An election of free pupils for each school shall take place once in each half-year, and not oftener, upon an appointed day, at a meeting of which every Governor shall have due notice; and before each election the Governors shall be furnished with a list of all the candidates, and a statement of the circumstances and claims of each. Public notice shall be given of the time and place appointed for each election; and of the manner and form in which applications may be made.

Free Pupils.

12. The number of Free pupils shall be determined by the Governors from time to time with due regard to the amount of the endowments: the number of female free pupils shall not be reduced below the number of the male free pupils, but the Governors may, if they think fit, admit and maintain a greater number of female pupils than of male pupils. The Governors may apply such portion of the income of Morgan's School Endowment, not exceeding one-half, as they may from time to time think fit to the maintenance of female pupils, but the income of Mercer's School Endowment shall be applied to the maintenance of female pupils only.

Qualifications of Free Pupils.

13. Every free pupil admitted shall be qualified as follows:—

- (a) He or she shall be the lawful child of Protestant parents, and shall, by the death, or by change in the circumstances of either or both parents, have been reduced to need the assistance to be obtained in the school.
- (b) He or she shall be of good character and conduct, and physically and intellectually fitted to take full advantage of the education given in the school.
- (c) He or she shall, upon the day of election, be not less than nine, nor more than twelve years of age, unless in any case of exceptional urgency or necessity, when a candidate not less than eight, nor more than thirteen years of age, may be admitted by special resolution of the Governors.
- (d) All candidates shall present themselves at the appointed place upon the day of election, shall be seen by the Governors, and shall be submitted to an examination to be conducted by or with the concurrence of the principal teacher of the school. The examination shall be directed to ascertain the education already received by the candidates, and their capacity for further instruction. The examination shall not be regarded as competitive, but the results thereof shall be taken into account by the Governors, with the other circumstances of each candidate, in selecting the pupils to be admitted.
- (e) After production of sufficient evidence of qualification, and after consideration by the Governors of the relative merits, needs, and circumstances of all

APPROPRIATE D. the candidates, those to be admitted shall be elected by the open votes of the majority of Governors present.

Time of remaining in School.

14. Every free pupil admitted as aforesaid may be lodged, clothed, dieted, and instructed in the school free of charge until the end of the half-year in which he or she shall attain the age of sixteen years. During such half-year the Governors may, upon due consideration of the circumstances, conduct, and proficiency of the pupil, permit him or her to remain in the school for such further period, not exceeding one year, as they may think fit; and they may retain until the age of eighteen years any pupil wishing to adopt the profession of a teacher, or whose services as a monitor or pupil teacher shall be needed in the school.

Removal of Pupils.

15. The Governors may require, as a condition of admission, an undertaking from two relatives or friends of each candidate, to remove him or her from the school whenever required by the Governors, whether permanently, or during vacation. The Governors may dismiss any pupil, at any time, for adequate cause, and the sufficiency of such cause shall be in the sole discretion of the Governors.

Paying Pupils.

16. In addition to the free pupils to be admitted as aforesaid, the Governors may from time to time, upon such terms and subject to such conditions and restrictions as they shall think proper, admit boarders or day pupils who shall pay or contribute to the cost of their maintenance and education, but so that the provision for the education of the free pupils shall not be prejudiced thereby, nor their number reduced below twenty-five in either school, so long as the income of the endowment shall suffice to maintain that number. In admitting paying pupils, and in fixing the amount which such pupils shall pay or contribute, the Governors shall take into due consideration the needs and circumstances of each candidate for admission, and shall give a preference to those candidates who would be qualified for admission as free pupils as hereinbefore provided. All the pupils of each school, whether free or paying pupils, shall be maintained and educated together and in the same manner.

General Provisions as to Governing Body.—Chairman, Quorum, and Secretary.

17. The Archbishop shall be *ex-officio* Chairman of the Governors. The Governors at their first meeting in each year shall elect from among themselves a Vice-Chairman, who shall continue in office until the first meeting in the succeeding year. The Chairman, or in his absence the Vice-Chairman, shall preside at the meetings, and in the absence of both, the majority of the Governors present at each meeting shall elect a Chairman who shall preside thereat. Three Governors shall constitute a quorum, and all matters and questions shall be determined by the majority of the Governors present; in every case of equality of votes, the Chairman shall have a second or casting vote. The Governors may appoint a competent person to act as their Secretary and Accountant, at such reasonable salary as they may think fit, and may appoint any one or two of their own number to act as Honorary Secretary or Secretaries.

Meetings of Governors.

18. Within one calendar month after the date of this scheme, and twice at the least in every year thereafter, the Governors shall meet at the schools, and they may also meet at such other times and places as they may from time to time appoint. At each of

two meetings to be held in each year at the schools, the Governors shall take the opportunity of transacting for themselves into the material, moral, and educational condition of each school, and they shall also make provision that one or more of the Governors shall visit each school once at least in each month (except during vacation). Notice of every meeting shall be given to each Governor two clear days at the least, or such other time as the Governors may direct, before each meeting. The Chairman or in his absence the Vice-Chairman, or any five other Governors, may at any time summon a special meeting, giving notice to each Governor six clear days at the least, or such other time as the Governors may direct, before such meeting, specifying in such notice the object thereof. Every meeting may adjourn for the completion of its business to such time and place as the Governors present may appoint.

Minutes, Books, and Documents.

19. Every Governor, not being an *ex-officio* Governor, shall, at or before the first meeting which he attends, sign a declaration in a book to be kept for that purpose, of his acceptance of the office of Governor, and until he has signed such declaration he shall not be entitled to act as a Governor. Minute-books shall be kept by the Governors, in which minutes of all their proceedings shall be duly entered. All deeds and other writings sealed with the common seal, and signed by the Chairman of any meeting and two other Governors, shall be held to be validly executed on behalf of the Governors.

Committees.

20. The Governors may, from time to time, appoint a Committee or Committees consisting of any two or more of their number to superintend and carry into execution any orders, rules, or directions of the Governors with respect to the purposes of this scheme, or to manage such of the business of the schools, or either of them, as the Governors may deem it expedient to depute to such Committee or Committees. They may also appoint a Ladies' Committee to assist them in the management of each or either of the schools as may be found expedient. The Governors may fix the quorum, define the duties, and regulate the proceedings of every such Committee as they may think fit.

Vacancies in the Office of Governor.

21. Every Governor, not being an *ex-officio* Governor, who shall resign by writing under his hand, or shall become bankrupt, or shall become incapable of acting, or shall cease to be a member of the said Church, or shall for the space of one year fail to attend any meeting of the Governors, shall thereupon vacate his office; and every vacancy with the same thereof shall be recorded in the Minutes, and shall be filled as hereinbefore provided as soon as conveniently may be after it shall have occurred.

By-Laws and Regulations.

22. The Governors may, from time to time, make such by-laws and regulations as they shall consider convenient and useful for the good government and management of the schools, and for effectuating the purposes of this scheme; provided that no such by-law or regulation shall be inconsistent with the provisions of this scheme, and that the same may be repealed, altered, and amended by the Governors as they may from time to time think fit.

Accounts and Audit.

23. The Governors shall cause to be kept regular accounts of all their receipts and disbursements in such manner and form as shall be from time to time prescribed by the Local Government Board, and the accounts for each year ending the 31st day of December

on each other day as the Board shall direct, or an abstract thereof, in such form as the Board shall prescribe, shall be submitted for audit on or before the 1st day of March following, or such other day as the Board shall direct, to an Auditor of the Local Government Board, or to such other competent authority as the Board shall appoint. The Governors shall keep an account with such bank as they may from time to time select, and all moneys receivable or payable by them (except petty cash), shall be lodged to or drawn from such account, and every cheque shall be signed by two Governors, at the least, thereto authorized.

Inspection.

24. If and whenever the Lord Lieutenant shall appoint an Inspector of the Schools, in pursuance of the Act, section 17, such Inspector shall inspect the same and present his report thereon to the Lord Lieutenant once at the least in each year, and so much often as the Lord Lieutenant may direct, and the remuneration of such Inspector, whenever fixed by the Lord Lieutenant, shall be defrayed by the Governors out of the income of the endowment as the Lord Lieutenant may direct.

Powers of Governors.

25. Subject to the provisions of this Scheme, the Governors may prescribe and regulate the course of instruction, and the terms and vacations, and may make all necessary and proper arrangements to be observed in, and shall have and exercise general supervision and control over the schools. Subject as aforesaid, they may appoint from time to time, upon such terms as they shall think fit, and at such salaries as they may deem sufficient, the several members of the teaching and domestic staff employed in or about the schools, and also such other officers and servants as they shall from time to time deem advisable. Subject to the provisions hereinafter contained as to the vested interests of individuals holding office at the date of the passing of the Act, every teacher, officer, and other person in the employment of the Governors, shall be removable by the Governors for adequateness, or upon reasonable notice, or upon payment of a reasonable sum, not exceeding six months' salary, in lieu of notice. The Governors may, with the consent of the Commissioners of Charitable Donations and Bequests, grant to any teacher or other officer in their employment who shall become incapable of further duty, or whose services shall be no longer required, a reasonable retiring pension or gratuity, to be fixed with due regard to length of service, and to the circumstances of his or her employment. No person appointed after the date of this Scheme to any paid office or employment under the Governors or becoming entitled to any salary or emolument out of the endowment under any such appointment, shall be capable of becoming, or shall continue to be a Governor, provided that the appointment of any Governor holding any such office or employment in either School, at the date of this Scheme, to a corresponding office or employment in the other School, shall not be deemed to be a new appointment; provided also that the incumbent of any parish in which the schools, or either of them may be situate, may be appointed as catechist at such reasonable remuneration as the other Governors may determine.

Eastern Education.

26. If it shall at any time be found expedient to provide all or any part of the education of all or any of the pupils at any neighbouring day school or schools, or to permit them to visit any teacher or teachers or teaching institution for the purpose of instruction out of the schools, the Governors may make such arrangements for this purpose as they shall deem best calculated to secure or increase the efficiency of the endowments, to save expense, and to promote the education of the pupils, and they may thereupon discontinue or reduce the provisions for employing

resident teachers, or giving instruction in the schools, as they may think fit.

Management of Estates.

27. The Governors may, from time to time, make such arrangements as they may deem expedient for the custody of all deeds and documents belonging to the endowments, for the management of the estates and property vested in them, for keeping proper maps and records of holdings and tenancies, for the appointment of a land agent or land agents, and for the employment of a solicitor or solicitors and of such bailiffs and other officers as they shall find it expedient to employ to assist in such management. Every agent shall be required to account once at least in each year, and in such account to include all rents and other income due or payable up to the date day next preceding the date of furnishing the account to the Governors.

Lettings.

28. The Governors may make agricultural or occupation leases and lettings of land from year to year or for any term of years not exceeding sixty years, and leases of buildings from year to year, or for any term not exceeding ninety-nine years, and leases for building or improvement for any term not exceeding 999 years, so that every such lease and letting shall take effect in possession upon or within three years after the making thereof, and shall be made at the highest rent that may fairly and reasonably be obtained, and without fine.

Sale, Exchange, and Pines.

29. The Governors may also, in such manner as they with the consent of the Commissioners of Charitable Donations and Bequests shall deem most expedient, sell, exchange, let upon fine in fee-simple or for any term, mortgage, or otherwise dispose of all or any part or parts of the real estates, lands and buildings (not being required for the purposes of the Schools, or either of them) which may be vested in them, so that every such dealing shall be carried out to the best advantage, and that all money obtained thereon other than current rents shall be treated as part of the capital of the endowment, and invested or otherwise disposed of in accordance with the provisions thereof.

Investments.

30. The Governors may from time to time sell any of the personal estates, funds, and securities vested in them, and invest the moneys arising therefrom, or other the capital of the endowment, and may also invest and accumulate any surplus or residue of income not required in any year for the purposes of the schools, in any of the public stocks, funds or securities of the United Kingdom, or of any colony or dependency thereof, or in the stock of the Bank of England or of Ireland, or upon freehold or leasehold securities in the United Kingdom, or, with the approval of the Commissioners of Charitable Donations and Bequests, upon any of the bonds, debentures or mortgages of any company or corporation, whether municipal, commercial, or otherwise, carrying on business or constituted for any purpose in the United Kingdom, or any colony or dependency thereof, and the Governors may from time to time vary such investments, and they may from time to time resort to the accumulations of income from any previous year, and apply the same for the purposes of this scheme.

Payment of Expenses.

31. The Governors shall, subject to the other provisions of this scheme, pay out of the income of the endowments hereby vested in them, all expenses and outgoings which under the provisions of the Act shall be properly and necessarily payable by the Governors or out of the endowment, for the taxed costs and expenses of this scheme, or of audit or inspection, or otherwise.

Provision for Vested Interests.

32. Every individual who at the date of the passing of the Act held, and at the date of this scheme shall continue to hold, any office, place, employment, pension, compensation, allowance, or emolument under or arising out of the endowments hereby transferred to and vested in the Governors, shall continue to hold and be entitled to receive the same from the Governors, upon the same terms and in the same manner in every respect as he or she held and was entitled to receive the same at the date of the passing of the Act, and every such individual shall remain bound to perform the same and all like duties for the Governors, so long as his or her employment shall continue, as he or she would have been bound to perform for his or her existing employers if this scheme had not passed; and his or her employment may be determined by the Governors at any time after the date of this Scheme by dismissal for adequate cause, or by the same notice from, or on the same payment in lieu of notice by the Governors, by or on which such existing employers might have determined such employment if this Scheme had not passed. The Governors shall grant to any such existing officer who, otherwise than from wilful misconduct, shall become incapable of further duty, or whose services shall be no longer required, such reasonable retiring pension or gratuity, to be fixed with due regard to length of service and to the circumstances of his or her employment, as the Commissioners of Charitable Donations and Bequests shall approve.

Discharge of existing Trustees.

33. Immediately after the date of this scheme the existing Trustees of Morgan's School and Morver's School respectively, shall proceed to pay and discharge out of the moneys in their hands all the salaries, outgoings, and liabilities due or payable by them up to the date of this scheme, including their taxed costs of and incident to the preparation of this scheme, and shall prepare a final account of all their receipts and disbursements, and submit the same for audit to the Local Government Board, or to such other competent authority as the Board shall direct. Upon each audit

the net cash balances remaining in the hands of the said Trustees or of their agents, treasurers, or bankers, or of any other person on their account, shall be ascertained and certified, and thereupon the same and all securities held by the said Trustees, shall be forthwith transferred or paid to the Governors, to be by them held and applied for the purposes of this scheme, and accounted for accordingly. The said existing trustees shall, at the same time, deliver to the Governors all books, documents, and other chattels and effects belonging to or held by them as such trustees, and thereupon the said trustees shall be discharged. All rents, debts, and other sums then accruing or payable to or recoverable by the said trustees respectively, shall thereupon and therefrom accrue and become payable to or recoverable by the Governors, and all sums then payable by and recoverable from the said trustees respectively, shall be thereupon and therefrom payable by and recoverable from the Governors.

Alteration of Scheme.

34. This scheme may be altered from time to time by the Commissioners of Charitable Donations and Bequests for Ireland, in any matter whatsoever upon the application of the Governors or upon the application of the General Synod or Diocesan Council, but except upon such application no alteration shall be made, and no alteration shall be made contrary to anything contained in the Act.

We, the Judicial Commissioners constituted by the Educational Endowments (Ireland) Act, 1888, having duly considered the foregoing scheme hereby submit the same for the approval of the Lord Lieutenant in Council under the said Act, duly signed by both of us under our hands this Thirtieth day of September, 1888.

GERALD FITZGERALD, } Judicial
JOHN NASH, } Commissioners.

Witness:

WM. EDWARD ELLIS, Secretary.

ALPHABETICAL LIST

OF

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DESIGNS: Printed by ALLEN, TAYLOR & CO. (Limited), 57, 58, & 59, Abbey-street,
The Queen's Printing Office,
For Her Majesty's Stationery Office.